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## House of Representatives

The House was not in session today. Its next meeting will be held on Wednesday, December 2, 2020, at 2 p.m.

## Senate

TUESDAY, DECEMBER 1, 2020

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Master, continue to be our shelter from life's storms and winds. You have provided us with Your presence and a reminder in Hebrews 13:5 that You will never leave or forsake us.

May this knowledge of Your watch-care sustain our Senators through this challenging season. Grant that their work will become more meaningful and effective as they cultivate a greater awareness of Your divine companionship.

We pray in Your loving Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The PRESIDING OFFICER (Mrs. HYDE-SMITH). The Senator from Iowa.

Mr. GRASSLEY. Madam President, I ask unanimous consent to speak for 1 minute in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

### TRIBUTE TO JOSEPH MORTON

Mr. GRASSLEY. Madam President, each 52 weeks of the year, I do four

telephone news conferences with different groups of journalists. Most of the journalists are Iowans.

Each week, without failure, a familiar voice opens one of my press calls with a very thoughtful question on some matter of interest to folks in the heartland of America. For more than two decades at the Omaha World-Herald, Joe Morton has cut through the beltway noise to deliver real news to my constituents in Iowa and those in Nebraska.

Sadly, his tenure at the paper ended just before Thanksgiving. So I want to take this opportunity to thank Joe for his decades of keeping Americans informed about the work of their elected leaders. So I say: Best of luck to Joe, wherever the future takes him. And if anybody in this area is looking for a dedicated journalist, you ought to consider Joe.

I yield the floor.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

### BUSINESS BEFORE THE SENATE

Mr. McCONNELL. Madam President, the latest results of vaccine trials continue to suggest that our victory over the coronavirus is on the horizon. But here in Washington, the additional relief that would help families, workers, schools, and small businesses cross the finish line has been held up for months while Democratic leaders pursued an all-or-nothing approach.

When the Speaker of the House put forward the so-called Heroes Act back in May, multiple—multiple—House Democrats called it out for the political stunt that it clearly was. One Democrat said it was “not focused,” “rushed to a vote too fast,” and it “doesn’t help us accomplish [the] core mission” of helping struggling people.

Well, after several months with no progress, this same Democrat just said a few days ago that Senate Republicans’ proposal is “a bill we can pass” and “we should negotiate that to the finish.” Even Speaker PELOSI’s own Members think our Senate Republican bill is better than hers.

Well, let’s hope our Democratic colleagues will finally let us make law in all the enormously important areas where we do not even disagree.

In the meantime, the Senate will proceed with pressing business on the Executive Calendar. We will vote to confirm several more well-qualified nominees, beginning today with Taylor McNeel, the President’s choice to serve as U.S. District Judge for the Southern District of Mississippi.

I hope each of my colleagues will join me in supporting this impressive nominee and those who will follow.

### TRIBUTE TO MARTHA MCSALLY

Mr. McCONNELL. Madam President, now on an entirely different matter, as the 116th Congress draws to a close, I once again face a task that is among my favorite and least favorite jobs at this particular time: bidding farewell to some of the people we proudly call colleagues and friends. But I will take

• This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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any excuse to brag about the impressive men and women we get to work alongside every single day.

Today, I will begin with the junior Senator from Arizona, MARTHA MCSALLY. For the last 2 years, Senator MCSALLY has held the seat formerly occupied by our dear friend John McCain. It is only fitting that our "Maverick" was followed by a fellow veteran and pilot who has approached her service to the people of Arizona with such unabashed pride.

By her own account, if you had asked a school-aged MARTHA MCSALLY, who was apparently both shy and prone to motion sickness, whether a career in cockpits and then politics sounded appealing, she would have looked at you like you were crazy. But, even then, the future full-bird colonel and Senator was already on her way to a life defined by service.

When MARTHA lost her father, a Navy veteran, at a young age, his final words to her were: "Make me proud." "Make me proud." With this challenge in mind, the youngest of five children took her academic and athletic talents to the U.S. Air Force Academy. The plan was to earn a trip to medical school through military service.

Back then, a ground-based career must have sounded like a sensible plan. After all, being a combat pilot wasn't an option back then for female officers, and, besides, she was on the wrong side of the height requirement for any pilot's seat. No women and no people her size were eligible at the time.

But after a ride-along training mission in an F-16 during one of her summer assignments, Cadet MCSALLY realized that flying was just too cool to pass up. Some doors were going to have to open to make it an option, but if those doors weren't open already, then, MARTHA MCSALLY was prepared to bust them down. That meant shaking off three straight rejections for a medical waiver of the height requirement. It meant inventing new tests to prove her exceptional aptitude, not only among the female candidates but the entire pool. It meant not taking "no" for an answer and ruffling as many feathers as needed until she got to serve. Of course, none of these skills and talents would sound at all familiar to us here in the Senate—not at all.

By the time our future colleague won her spot as the first woman behind the stick of a combat fighter mission, she was charting a unique course in more ways than one. Her place in the squadron had made history, and the jet she flew—the A-10 "Warthog"—had a unique place of its own.

The A-10 flies low over the battlefield. It provides close air support, hunting and destroying threats to friendly forces on the ground. It is a machinegun on wings that holds special respect among combat military.

Many seasoned soldiers have a story or two about times when pilots like MARTHA MCSALLY swooped in to get them out of a bind. So MARTHA's flight

hours were literally clearing the way for her fellow servicemembers in more ways than one.

Her trailblazing helped change the perception and treatment of women in our Armed Forces. In one instance, she took the DOD to court over unfair dress codes for female servicemembers overseas and won an important change in policy.

Pretty quickly, folks caught on to the fact that when Colonel MCSALLY put her mind to something, it got done. So, naturally, when the then-Congresswoman was sworn in here in the Senate, she dove into tracking down answers for her fellow Arizonans, solutions for American servicemembers, and the care and justice her fellow veterans deserve.

From her first day, Senator MCSALLY reminded everyone here that public service is personal, that what we do here has a direct impact on the lives of millions of Americans. So after swearing the oath on a Bible recovered from the bombing of the USS *Arizona* at Pearl Harbor, she brought her experience and expertise to solving issues that are personal to her and to others who have worn the uniform.

In solidarity with her fellow A-10 pilots and the forces they protect, Senator MCSALLY fought to preserve and fund that unique weapon. Using her role on the Senate Armed Services Committee, she let her own painful personal experiences with sexual assault in the military fuel the pursuit of justice for fellow survivors. She authored expanded protections for service academy students who experienced assault, she proposed new preservation requirements for service records to promote accountability, and she made sure each was included when the Senate passed Defense authorizations.

Her service to men and women in uniform didn't stop with those on Active Duty. Senator MCSALLY has also championed expanded care and services for our veterans as they transition back to civilian life, greater Federal support for telehealth and suicide prevention, and expanded veterans treatment courts.

So many important changes have been enacted because MARTHA MCSALLY made them happen.

Last year, it came to her attention that one remarkable 95-year-old Arizona veteran had not received the formal recognition he deserved for distinguished service back in World War II. Senator MCSALLY made sure he got that Purple Heart, hand-delivered, with dozens of young airmen on hand to honor him.

The junior Senator from Arizona has charted a singular course. She has balanced respect for tradition with an eye toward the future. She opened countless new doors for others. At every single step, our colleague has done it with dignity, faith, and a deep love of her State and her country that she cannot help but wear on her sleeve.

She departs with a long list of accomplishments and every reason to

hold her head high. Wherever life after the Senate takes her, I am confident our colleague will continue to be the most enthusiastic advocate for her State—for its people, its prosperity, and its natural wonders. That includes all the interesting creatures that she and her four-legged wingman, Boomer, meet when they are out hiking the trails.

No, I am pretty certain MARTHA MCSALLY is not through fighting yet. So, MARTHA, on behalf of not just the Senate but the Nation, thank you so much for your service to our country, in uniform and here in the Senate. We wish you all the best in the bright days to come.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Taylor B. McNeel, of Mississippi, to be United States District Judge for the Southern District of Mississippi.

Mr. McCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

#### BUSINESS BEFORE THE SENATE

Mr. SCHUMER. Madam President, yesterday, I mentioned the several big-ticket items left on the congressional agenda before the end of the year. Over the next few weeks, the Senate must pass an appropriations bill to keep the government funded. We must pass the annual Defense bill, a piece of legislation that Congress has passed every year for nearly 60 years in a row. And a top priority as well is a major COVID relief bill.

We are in a moment of genuine national catastrophe. The rate of new cases, hospitalizations, and deaths are at the highest, or near the highest, of

any point during this awful pandemic. The economic fallout of the pandemic spreads and spreads. November saw the largest single 2-week jump in unemployment benefit applications since early April, and enhanced job benefits are only a few weeks from expiration.

The time has come for Congress to pass a bipartisan COVID relief bill that meets the needs of our workers, our families, our schools, and our businesses. The Republican leader of this Chamber knows very well that the only way to pass legislation in the Senate is with a measure of bipartisanship. But time and time again, the Republican leader's idea of action on COVID has been to bring partisan legislation to the floor and then demand everyone accept it.

Every single iteration has included poison pills designed to ensure that the bill is bad—not consensus proposals. That is not what these poison pills are at all, and he knows darn well the Democrats don't agree to them. Well, that is no way to do business around here.

The leader's view seems to be that the only things that should be considered in the next COVID relief bill are items that Republicans approve of, even if the needs of the country go way beyond what is on their narrow list. So I would plead again to the Republican leader and to my colleagues on the other side, we need to come together. Both sides—both sides—must be willing to compromise.

While the Republicans in this Chamber enjoy a majority, they must grapple with the fact that Democrats hold a majority in the House. We cannot make a law without Democrats in the House, and, frankly, Democratic votes in the Senate because there are a good number of Republicans who won't vote for any proposal.

So we need a true bipartisan bill, not another round of partisan Republican proposals put forward by the leader and then he makes take-it-or-leave-it demands, and that is it. We need to come together and come to agreement that will not satisfy any one of us completely but gets the job done. I hope that as we get closer to the end of the year, partisan posturing on the Republican side will give way to some genuine compromises.

#### BIDEN ADMINISTRATION NOMINEES

Madam President, now, on another matter. President-Elect Biden continues to roll out an impressive slate of candidates he intends to nominate to his Cabinet and other key administrative positions. They provide an incredibly stark contrast to the caliber of the nominees the Senate considered over the past 4 years. Not only are President-Elect Biden's nominees exceptionally qualified and familiar with the institutions to which they are nominated, but they have a broad range of backgrounds and experiences. They actually look like America.

Today, I will be meeting with President-Elect Biden's intended Secretary

of State, Tony Blinken, and his intended Director of National Intelligence, Avril Haines, who is the first woman to be nominated to serve in that position. Like most Americans are doing these days, our "meeting" will take place over a video chat, and I am looking forward to asking both Mr. Blinken and Ms. Haines about their views on a range of issues concerning American diplomacy, foreign policy, and national security, and how to repair some of the damage to America's reputation and relationships abroad done by the past administration.

Now, after what all we went through over the past 4 years, I would expect that almost all of President-Elect Biden's nominees would be widely acceptable to the Senate. After all, Senate Republicans confirmed several Trump nominees who lacked the necessary qualifications, who were mired in ethics scandals, and who made outrageous and inflammatory comments in the past.

Republican Senators often argued that a President deserves broad deference when it comes to their Cabinet and official appointments and blew past controversies that would in almost any other time be disqualifying. President-Elect Biden's nominees, of course, are in a different universe.

Well, we are already starting to see the switch start to flip now that President-Elect Biden is the one naming the names. To take just one example, Senate Republicans reacted to the historic nomination of Neera Tanden to run the Office of Management and Budget by calling her "radioactive," a "nutjob," and expressing alarm over some critical tweets in the past.

After spending 4 years pretending they didn't see the latest insane tweet from President Trump, Senate Republicans seem to have found a newfound interest in the Twitter feeds of Biden's Cabinet selections.

With respect to the Office of Management and Budget specifically, Senate Republicans lined up to confirm the previous OMB Director, Russell Vought, after he was at the heart of the scandal that led to President Trump's impeachment: withholding security aid to an ally at war, Ukraine.

If Senate Republicans are worried about someone with a partisan background in OMB, perhaps they shouldn't have voted to confirm Russell Vought, who used to work not just at the Heritage Foundation but for its partisan advocacy arm. If Senate Republicans are concerned about someone who made controversial comments running OMB, perhaps they shouldn't have confirmed Russell Vought, who once said: "Muslims do not simply have a deficient theology. They do not know God because they have rejected Jesus Christ his Son, and they stand condemned."

That was the previous OMB Director condemning an entire religion. The Republican majority confirmed him despite these inflammatory comments, despite his conduct as interim Direc-

tor, and despite his career as a partisan warrior.

But a few critical tweets about substantive policy positions have caused Senate Republicans to label Ms. Tanden's nomination "radioactive." Spare us the hyperbole. Ms. Tanden, we all know, is an eminently qualified nominee who would be the first woman of color to ever run the Office of Management and Budget.

As Biden continues to name his team, I am sure we will hear some more of these overblown complaints from Republican Senators, but after the caliber of nominees that this Republican majority confirmed over the past 4 years, it will be impossible—impossible—to take them seriously.

The Senate committees should prepare to hold hearings on President-Elect Biden's nominees in January, immediately after the Georgia elections. Let me say that again. The Senate committees should prepare to hold hearings on President-Elect Biden's nominees in January, immediately after the Georgia elections.

That is customary for a new President. The Senate holds several hearings in January so that key Cabinet officials can be confirmed on January 20 and shortly thereafter. That is what the Senate did for President Trump and President Obama. That is what the Senate must do for President-Elect Biden as well.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

#### CORONAVIRUS

Mr. THUNE. Madam President, yesterday drugmaker Moderna filed for an emergency use authorization from the FDA for its COVID vaccine. The FDA's Vaccine Advisory Committee is scheduled to discuss Pfizer's COVID vaccine next week and is expected to review Moderna's shortly thereafter.

That means that it is entirely possible that by the end of December the FDA will have authorized not one but two COVID vaccines that have so far shown more than 90 percent effectiveness in preventing the disease. This is very hopeful news, and it is a tribute to the innovative power of the private sector and the efforts of Congress and the Trump administration to expedite the development of COVID vaccines.

The light at the end of the tunnel looks like it is on the way. At the same time, it is essential that we not minimize what is happening with COVID right now. Cases are surging and are likely to surge further, and doctors and hospitals are struggling.

It is essential that we maintain key safety measures until those vaccines arrive. Now, more than ever, we need to keep wearing masks, wash our hands, and maintain social distance. The more responsibly we act, the more we can protect vulnerable members of the population and keep our doctors and hospitals from being overrun. Acting responsibly can also help avert further economic shutdowns, which would

be a devastating blow to a lot of struggling businesses.

I know that it has been a long, hard year and that everyone is tired of the additional safety measures we have had to take, but the beginning of the end is in sight, and we need to hold on for a few months longer and keep doing everything we can to prevent further virus spread.

At the same time, it is important that State and local governments use their authority responsibly and think carefully about the impact of the health and safety measures that they are putting in place. It is also essential that elected officials ensure that they are respecting our constitutional rights—notably, the right of assembly and the free exercise of religion—when imposing coronavirus restrictions.

I was pleased to see the Supreme Court uphold this principle in its recent decision suspending draconian New York measures targeting houses of worship. New York City is not the only place where churches have faced disproportionately strict restrictions. Earlier this year in Washington, DC, for example, the mayor celebrated mass protests that vastly exceeded recommendations for gathering size, even as she maintained strict restrictions on houses of worship.

I was pleased to join an amicus brief to the DC district court in support of Capitol Hill Baptist Church's lawsuit against the DC government asking that the church's constitutional right to free exercise of its faith be respected in the same way as the protesters' rights to freedom of speech.

Throughout this pandemic we have, unfortunately, seen a significant degree of hypocrisy from many on the left who have called for or imposed strict restrictions on activities that they deem nonessential while celebrating activities that they approved of but that posed a significant risk of coronavirus transmission.

The First Amendment cannot be applied selectively, and when imposing coronavirus restrictions, lawmakers need to exercise the greatest respect for our first freedom—the free exercise of religion—and ensure that churches are not subjected to disproportionately severe measures.

More than that, politicians should do everything that they can to ensure that religious worship is supported as far as possible during the pandemic. Worship is an essential activity, and it should be accorded the same respect and deference that governments have accorded to liquor stores, bike shops, and nail salons.

In the next couple of weeks, Congress will be passing key legislation, including a bill to fund the government. I am hoping that we will be able to add a COVID relief bill to that list. While the money Congress has already invested in COVID relief has gone a long way toward meeting the country's needs, there is more that we need to do.

Republicans put forward an additional targeted relief package months

ago, but Democrats spent the fall delaying additional COVID relief by insisting on bloated legislation filled with unrelated and unreasonable demands. It has been impossible to negotiate with Democrats for the simple reason that Democrats have made it clear that compromise is not an option. "It is our way or the highway," Democrats have said. It is either a multitrillion-dollar bill or nothing at all.

Democrats have to know that they don't have a chance of getting their bill through both houses of Congress and to the President's desk, so the reasonable thing for them to do, if they really want to help Americans, would be to work with Republicans to pass a bill that delivers at least some of what they want. Republicans and Democrats agree on a number of things, from more money for schools, testing, and vaccines to another round of Paycheck Protection Program relief for the hardest hit small businesses.

We should be able to arrive at compromise legislation that both sides can agree to, and we should pass that compromise legislation before the end of the year. I was encouraged to hear that a few Democrats are looking to develop bipartisan coronavirus legislation, and I hope we will be able to convince the Speaker and the Democratic leader here in the Senate that working with Republicans—really working with them—and not pretending to negotiate while refusing to actually compromise is the right thing to do for the American people.

It has been a rough year for the country. Let's close it out by working together to deliver the additional relief that Americans need to weather the rest of this pandemic.

I yield the floor.

**THE PRESIDING OFFICER.** The Senator from Illinois.

**Mr. DURBIN.** Madam President, how bad is the COVID-19 pandemic? I am sure we each look at it in personal and family terms.

We have just gone through a Thanksgiving like no other, for my family and for many others who decided that safety was more important than being physically in the same room with the family members we love. So we turned to FaceTime, Zoom, and every other contrivance we could find to maintain a connection with children, grandchildren, and other people we love.

But the situation is dire. The infection and death rate in my home State has been heartbreaking in terms of the number of people who have had their lives changed, and some have had their lives ended because of it.

I can use one example of how bad it is. It won't mean much to those who are listening. The city of St. Louis is a large metropolitan area—millions of people. I grew up nearby on the Illinois side of the river. One day last week the St. Louis hospitals were unable to take a COVID-19 patient, and, as a result, that patient was transported almost 100 miles away to Quincy, IL, to a hos-

pital so the patient could receive the care that they needed. Think of that: not an available space in the city of St. Louis.

Last month a dear friend of mine, feeling ill, who lived in Illinois, went over to the St. Louis area and went to one of the most outstanding hospitals in the city. She was told she couldn't be admitted because there was no room for her. She went to the second most reputable hospital in the city with the same report. Finally, with the third try, she was admitted to another hospital. Three days later she passed away. In a desperate situation, she was turned away from two major hospitals because they didn't have room.

So we can argue long and hard about the danger of this COVID-19, whether it is something to take seriously or not—and there are still those who insist it is not—but we can't escape the reality that 13½ million Americans have already been infected with the COVID virus and over 267,000 American lives have been lost.

My heart goes out to those families and their loved ones, some of whom were my friends—and one very close friend—who have lost their lives. And for all of those who are fighting COVID-19 today, including Members of Congress, I wish them well, Godspeed. Get well and come back and join us in a positive way.

As the number of infected Americans continues to rise, it is vital that we continue to take safety precautions: social distancing, wearing masks, and staying home as much as possible.

I am worried about the health and safety of our country, but I am also worried about the millions of Americans who find themselves in dire straits as the economic impact of this pandemic lingers. I think of some of the restaurants in Chicago and in my own hometown that I visited with my wife from time to time. They are gone. They are not going to return.

Sadly, every day, decisions are being made by businesses just like those that they just can't continue to lose money. It clearly is a call to action for Congress to do something.

Some choose to focus on the status of the stock market indexes and monthly job reports as proof that the economy has recovered. In fact, I met with a group of Senators from the other side of the aisle who said it is the dominant opinion of the majority of Republican Senators that we don't need a stimulus; that we have recovered; we are on our way. I don't see it that way at all. I think we clearly need to bring life into this economy that reaches families, neighborhoods, communities, and towns.

The Wall Street Journal and the Dow Jones average are interesting to read, but for most Americans, it is not part of their regular life experience; it is just a question about whether or not they can keep their family-owned business open or whether or not that store or that restaurant they always valued

as part of their community is gone forever.

We know the stock market or a single jobs report are not reliable measures of the economy's overall health. The fact is, too many Americans are still living life on the brink. Look at the long lines of people in their cars waiting for food, spending hours of their day trying to get a donation of food. Some of them are embarrassed by the experience, though they should not be. It reflects the reality of what life is like for many people who just a short time ago were volunteers at that same food bank or contributed to it. They are waiting anxiously for relief and wondering if Congress even knows it.

We set a record of 88,000 Americans hospitalized last Tuesday, a week ago. One-quarter of our hospitals are reporting critical shortages of doctors and nurses who have been fatigued with months on the frontlines. I can't help but be personally moved by these doctors and nurses who stand before us and talk about what it is like to be in that emergency room day after day after day. These are rock-solid professionals who have given their life to the medical profession. How many times have we watched them break down in tears as they tell us what they are going through? You talk about the emotional stress that we face, the depression we face having to stay home and away from our friends and family. Think about what they face every single day, plus the danger to their own personal health and the danger to their families that is part of this. It really begs for us to take this much more seriously here on the floor of the U.S. Senate.

In the weeks leading up to Thanksgiving, 1 in 8 Americans—126 million—didn't have enough to eat. Millions of Americans are claiming some form of unemployment insurance. If we do nothing—if we do nothing—in the Senate, other than to act on the Executive Calendar, which the Republican leader referred to this morning, the day after Christmas, 12 million Americans will be cut off entirely from unemployment assistance—12 million. If we don't do something, those families will be in a desperate situation.

If Congress fails to act, that day is going to be an ominous, dark day in our history. The issues facing our State and local governments, which are at the forefront of combating this crisis, continue to be a priority. Their budgets are being hammered by shrinking revenues, and without additional aid, many will have no choice but to either cut important services that many rely upon or raise taxes on families already hard-hit.

We must take action to protect our State and local government workers, the firefighters, the teachers, the first responders. In the coming weeks, as many as 30 million Americans are facing the risk of eviction without additional help. Merry Christmas. You have been evicted.

Just a few weeks ago, nearly 12 million Americans indicated they would be unable to pay their rent or mortgage in December. Where will they go? Housing assistance that helps keep families in their homes during this public health crisis, as we move into winter months, has to be a top priority.

For those who are saying that we are out of the woods, we don't need a stimulus, look at those numbers on the Dow Jones index—I ask you to tell that to 20 million Americans receiving unemployment today or the countless small businesses that are facing closure.

There is still a lot of hurt out there, and we need to get more relief out to those who need it. News of the COVID vaccine development is promising, but we are many months from building up the immunity that we need. In the meantime, we must confront the virus with investments in testing, tracing, and healthcare.

I want to, at this point, say a word about an effort that was announced this morning that I have been part of for several weeks. There is a bipartisan group of Senators in Congress who have been talking about the very issues that I raised in this speech. I can't tell you how many hours they put into it. We have a group of eight Senators—four Democrats and four Republicans on this side of the Rotunda and a similar group on the other side of House Members—who have been trying to find a bipartisan path out of this current situation. I want to salute them. On the Democratic side, I want to thank MARK WARNER of Virginia, JOE MANCHIN of West Virginia, and JEANNE SHAHEEN of New Hampshire. It has been my honor to sit at tables on Zoom calls hour after hour after hour as we hash through some of the difficult choices that need to be made. On the Republican side, I want to thank SUSAN COLLINS, LISA MURKOWSKI, BILL CASSIDY, and MITT ROMNEY. They have put as much time as I have, and many times more, in this effort to bring us to a point where we can offer a solution.

They announced this morning that they have come to a conclusion that the spending part of this is going to be manageable—doable—on a bipartisan basis, and it should be called on the floor for passage. I will tell you that the \$908 billion package they put together is not what I wanted. I believe there should be dramatically larger amounts put into this effort. But there are some on the other side of the aisle who believe that little or nothing is needed. They have tried to find a middle ground, and I believe they have with the \$908 billion. The way it is allocated across the board in a draft framework hits the major elements that we need to act on before we go home for Christmas in this month of December. I am not happy with a lot of these figures, but that is what it is all about in this world of the U.S. Congress: You come together willing to sit down and listen to the other side and, if necessary, compromise, so at the end of

the day, you have something to show for your efforts.

The reason I didn't participate in the press conference this morning is because at the very end, an issue came up, which I believe is really so important, that has to be resolved and resolved fairly, and that is the issue of immunity from liability. Many of us believe that businesses—most businesses—are doing everything they can think of to keep their employees and their customers as safe as possible, and I salute them for it. But many of them as well believe that we need to have standards that they can live up to, so if they are ever challenged by an employee, by a customer, or even in court, they can turn to a standard of care and point that they did everything they could be expected to do at that moment in time.

I believe that is a good defense and always has been to any accusations of wrongdoing. But there are some who believe that there should be a different standard, an unreasonable standard—one that I think goes too far in providing immunity from liability, not just for good businesses but also for those that are not. And there are some. We need to have the courts available for those who have been treated badly. I think of the meat processing plants and some of the activities that were involved in the earliest stages, where the employees didn't receive the basic protection they needed. They came down with the COVID virus, and many had serious consequences in their lives. I believe they deserve a day in court.

I want to make sure that we pass this COVID-19 bill, as the group has brought together or something like it, for \$908 billion. We shouldn't be delayed or diverted from this effort by a debate over immunity from liability. It is an important issue, but some 38 States have already adapted their laws relating to COVID-19 liability. The others can certainly do it, if they wish, if they think they need it. That has resulted in some things which are worth reporting.

We are told that there is a tsunami of COVID-19 lawsuits that are being brought against individuals and businesses. It turns out that nothing could be further from the truth. There is a law firm known as Hunton Andrews Kurth that monitors all lawsuits that are filed in the United States every day. They have sought out how many lawsuits relate to COVID-19 and the coronavirus. Last week's report is this: Out of the some 12½ to 13 million Americans who have been infected with the COVID virus, only 6,273 lawsuits have been brought in the entire Nation in the year 2020 that mention the term COVID-19 or coronavirus. Well, you think: Boy, that is a lot of lawsuits to be filed against doctors and nurses and hospitals. Let me tell you, out of the total number, 6,000 lawsuits, only 10—10—nationwide have been filed for malpractice claims, medical malpractice claims—10 lawsuits.

To argue that we ought to close the doors of the court to people who are seeking relief, when so few lawsuits have been filed, makes no sense at all. How many personal injury suits? How many people have sued some person or entity or business saying, "On your premises, I contracted this COVID-19"? Well, out of 13 million who have been infected, you would think the number would be enormous. Twenty-two—that is the number—twenty-two personal injury lawsuits have been filed. One hundred and ten of these additional lawsuits have been filed by employees for workplace situations. Out of all these lawsuits in the United States of America for malpractice, personal injury, and workplace complaints, there are 142 lawsuits nationwide. Why would we hold up the \$908 billion economic relief over this phenomena? Do you want to know where most of the lawsuits are being filed? Most of the lawsuits are being filed between businesses, as well as businesses versus their insurance companies, and prisoners who are petitioning the court for release from what they consider to be dangerous circumstances. Those are the lawsuits that make up the bulk of the cases that have been filed so far.

There is no tsunami of lawsuits. The States are handling this matter responsibly and effectively, and there is no indication that our tort system in this country needs to be dramatically changed. That is why I really withheld my attendance this morning at this press conference. The group has not agreed on the basic issue of liability, but there were statements being made that I could not agree with that I didn't want to suggest that I did, and that is why I didn't attend. I am still ready to work on it. I want to work on it and find a bipartisan way to protect the rights of individuals who have been wronged for their day in court, not to extinguish or take away any rights from any people, to acknowledge that States have made decisions on COVID-19 and are moving forward and are doing a very fine job, as those numbers indicate.

Let us not make the best the enemy of the good. For those Republicans who believe that the Cornyn bill on liability is an essential part of this package, do not deny unemployment insurance and help to small businesses across America because we need to fight out this battle. If the Democrats had insisted that we would have no COVID-19 bill unless we had minimum-wage legislation or family leave related to economic circumstances, you would say: Why don't you save that debate for another day? We don't need it at this moment. We do need it as a nation but not at this moment. At this moment, we need to pass emergency assistance to the families and businesses across America.

I salute my friends who are part of this effort, this bipartisan effort. I am glad that I spent the time that I did, and I am still ready to work some

more. We can come to a conclusion, and we must.

For the U.S. Senate to finish this month without dealing with this very basic COVID-19 relief package is fundamentally wrong. It is the highest priority for families and businesses across America, and we owe them nothing less.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Mr. President, I ask unanimous consent for the vote on the McNeel nomination to begin now.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the previous order, all postcloture time has expired.

The question is, will the Senate advise and consent to the McNeel nomination?

Mr. ROUNDS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Missouri (Mr. HAWLEY), the Senator from Oklahoma (Mr. INHOFE), the Senator from Georgia (Mrs. LOEFFLER), and the Senator from Arizona (Ms. MCSALLY).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS), the Senator from Vermont (Mr. SANDERS), the Senator from Hawaii (Mr. SCHATZ), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

The PRESIDING OFFICER (Ms. COLLINS). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 39, as follows:

[Rollcall Vote No. 241 Ex.]

#### YEAS—53

Alexander	Ernst	Portman
Barrasso	Fischer	Risch
Blackburn	Gardner	Roberts
Blunt	Graham	Romney
Boozman	Grassley	Rounds
Braun	Hoeven	Rubio
Burr	Hyde-Smith	Sasse
Capito	Johnson	Scott (FL)
Cardin	Jones	Scott (SC)
Cassidy	Kennedy	Shelby
Collins	Lankford	Sinema
Cornyn	Lee	Sullivan
Cotton	Manchin	Thune
Cramer	McConnell	Tillis
Crapo	Moran	Toomey
Cruz	Murkowski	Wicker
Daines	Paul	Young
Enzi	Perdue	

#### NAYS—39

Baldwin	Gillibrand	Peters
Bennet	Hassan	Reed
Blumenthal	Heinrich	Rosen
Booker	Hirono	Schumer
Brown	Kaine	Shaheen
Cantwell	King	Smith
Carper	Klobuchar	Stabenow
Casey	Leahy	Tester
Coons	Markey	Udall
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warren
Feinstein	Murray	Wyden

#### NOT VOTING—8

Harris	Loeffler	Schatz
Hawley	McSally	Whitehouse
Inhofe	Sanders	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

The majority leader.

Mr. McCONNELL. Madam President, I ask unanimous consent that the mandatory quorum call be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of J. Philip Calabrese, of Ohio, to be United States District Judge for the Northern District of Ohio.

Mitch McConnell, James E. Risch, Joni Ernst, Marsha Blackburn, Mike Crapo, James Lankford, Thom Tillis, Roy Blunt, Roger F. Wicker, Pat Roberts, John Cornyn, John Hoeven, Jerry Moran, Lamar Alexander, Mike Braun, David Perdue.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of J. Philip Calabrese, of Ohio, to be United States District Judge for the Northern District of Ohio, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. INHOFE), the Senator from Georgia (Mrs. LOEFFLER), and the Senator from Arizona (Ms. MCSALLY).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS), the Senator from Vermont (Mr. SANDERS), the Senator from Hawaii (Mr. SCHATZ), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

The PRESIDING OFFICER (Mr. CRUZ). Are there any other Senators in the Chamber desiring to vote or change their vote?

The yeas and nays resulted—yeas 58, nays 35, as follows:

[Rollcall Vote No. 242 Ex.]

#### YEAS—58

Alexander	Braun	Cassidy
Barrasso	Brown	Collins
Blackburn	Burr	Cornyn
Blunt	Capito	Cotton
Boozman	Carper	Cramer

Crapo	Kennedy	Rubio
Cruz	Lankford	Sasse
Daines	Lee	Scott (FL)
Enzi	Manchin	Scott (SC)
Ernst	McConnell	Shelby
Fischer	Moran	Sinema
Gardner	Murkowski	Sullivan
Graham	Murphy	Tester
Grassley	Paul	Thune
Hassan	Perdue	Tillis
Hawley	Portman	Toomey
Hoeven	Risch	Wicker
Hyde-Smith	Roberts	Young
Johnson	Romney	
Jones	Rounds	

## NAYS—35

Baldwin	Gillibrand	Reed
Bennet	Heinrich	Rosen
Blumenthal	Hirono	Schumer
Booker	Kaine	Shaheen
Cantwell	King	Smith
Cardin	Klobuchar	Stabenow
Casey	Leahy	Udall
Coons	Markey	Van Hollen
Cortez Masto	Menendez	Warner
Duckworth	Merkley	Warren
Durbin	Murray	Wyden
Feinstein	Peters	

## NOT VOTING—7

Harris	McSally	Whitehouse
Inhofe	Sanders	
Loeffler	Schatz	

The PRESIDING OFFICER. On this vote, the yeas are 58, the nays are 35.

The motion is agreed to.

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of J. Philip Calabrese, of Ohio, to be United States District Judge for the Northern District of Ohio.

The PRESIDING OFFICER. The Senator from Indiana.

## UNANIMOUS CONSENT AGREEMENT—S. 578

Mr. YOUNG. Mr. President, I ask unanimous consent that notwithstanding the provisions of rule XXII, if necessary, and at a time to be determined by the majority leader in consultation with the Democratic leader, the Finance Committee be discharged from further consideration of S. 578 and the Senate proceed to its immediate consideration, and the only amendment in order be an amendment to be offered by Senator GRASSLEY, the text of which is at the desk; further, I ask that the Senate vote on adoption of the Grassley amendment and upon disposition of the amendment, the bill, as amended, if amended, be read a third time and the Senate vote on passage of the bill, as amended, if amended; finally, that adoption of the amendment and passage of the bill require 60 affirmative votes and, if passed, the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

## RECESS

Mr. YOUNG. Mr. President, I ask unanimous consent that the Senate recess until 2:15 p.m.

Thereupon, the Senate, at 12:20 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mrs. CAPITO).

## EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired.

The question is, Will the Senate advise and consent to the Calabrese nomination?

Mr. PAUL. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. INHOFE), the Senator from Georgia (Mrs. LOEFFLER), and the Senator from Arizona (Ms. MCSALLY).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS), the Senator from Vermont (Mr. SANDERS), the Senator from Hawaii (Mr. SCHATZ), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 58, nays 35, as follows:

[Rollcall Vote No. 243 Ex.]

## YEAS—58

Alexander	Fischer	Portman
Barrasso	Gardner	Risch
Blackburn	Graham	Roberts
Blunt	Grassley	Romney
Boozman	Hassan	Rounds
Braun	Hawley	Rubio
Brown	Hoeven	Sasse
Burr	Hyde-Smith	Scott (FL)
Capito	Johnson	Scott (SC)
Carper	Jones	Shelby
Cassidy	Kennedy	Sinema
Collins	Lankford	Sullivan
Cornyn	Lee	Tester
Cotton	Manchin	Thune
Cramer	McConnell	Tillis
Crapo	Moran	Toomey
Cruz	Murkowski	Wicker
Daines	Murphy	Young
Enzi	Paul	
Ernst	Perdue	

## NAYS—35

Baldwin	Gillibrand	Reed
Bennet	Heinrich	Rosen
Blumenthal	Hirono	Schumer
Booker	Kaine	Shaheen
Cantwell	King	Smith
Cardin	Klobuchar	Stabenow
Casey	Leahy	Udall
Coons	Markey	Van Hollen
Cortez Masto	Menendez	Warner
Duckworth	Merkley	Warren
Durbin	Murray	Wyden
Feinstein	Peters	

## NOT VOTING—7

Harris	McSally	Whitehouse
Inhofe	Sanders	
Loeffler	Schatz	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

The Senator from South Dakota.

Mr. THUNE. Madam President, I ask unanimous consent that the mandatory quorum call be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

## CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Kyle Hauptman, of Maine, to be a Member of the National Credit Union Administration Board for a term expiring August 2, 2025.

Mitch McConnell, Shelley Moore Capito, Roger F. Wicker, Cindy Hyde-Smith, Joni Ernst, Roy Blunt, Mike Rounds, Mike Crapo, James Lankford, John Hoeven, Thom Tillis, John Cornyn, Michael B. Enzi, Todd Young, Lindsey Graham, Tim Scott, James E. Risch.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Kyle Hauptman, of Maine, to be a Member of the National Credit Union Administration Board for a term expiring August 2, 2025, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. INHOFE), the Senator from Georgia (Mrs. LOEFFLER), and the Senator from Arizona (Ms. MCSALLY).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS), the Senator from Vermont (Mr. SANDERS), the Senator from Hawaii (Mr. SCHATZ), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

The PRESIDING OFFICER (Mrs. BLACKBURN). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 56, nays 37, as follows:

[Rollcall Vote No. 244 Ex.]

## YEAS—56

Alexander	Gardner	Risch
Barrasso	Graham	Roberts
Blackburn	Grassley	Romney
Blunt	Hassan	Rounds
Boozman	Hawley	Rubio
Braun	Hoeven	Sasse
Burr	Hyde-Smith	Scott (FL)
Capito	Johnson	Scott (SC)
Cassidy	Jones	Shaheen
Collins	Kennedy	Shelby
Cornyn	King	Sinema
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	McConnell	Tillis
Cruz	Moran	Toomey
Daines	Murkowski	Warner
Enzi	Paul	Wicker
Ernst	Perdue	Young
Fischer	Portman	

## NAYS—37

Baldwin	Feinstein	Peters
Bennet	Gillibrand	Reed
Blumenthal	Heinrich	Rosen
Booker	Hirono	Schumer
Brown	Kaine	Smith
Cantwell	Klobuchar	Stabenow
Cardin	Leahy	Tester
Carper	Manchin	Udall
Casey	Markey	Van Hollen
Coons	Menendez	Warren
Cortez Masto	Merkley	Wyden
Duckworth	Murphy	
Durbin	Murray	

## NOT VOTING—7

Harris	McSally	Whitehouse
Inhofe	Sanders	
Loeffler	Schatz	

The PRESIDING OFFICER. On this vote, the yeas are 56, the nays are 37. The motion is agreed to.

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Kyle Hauptman, of Maine, to be a Member of the National Credit Union Administration Board for a term expiring August 2, 2025.

The PRESIDING OFFICER. The Senator from Arkansas.

## NOMINATION OF KYLE HAUPTMAN

Mr. COTTON. Madam President, the Senate has just voted to conclude debate on the nomination of Kyle Hauptman to be on the Board of the National Credit Union Administration, and we will soon vote to confirm Mr. Hauptman to the administration.

This is a very happy moment, of course, for Kyle and his family and the country. For me, I have to confess it is something of a bittersweet moment. That is because Kyle is not only a nominee to a Federal Board. Mind you, he is my trusted economic adviser; he is the staff director for me on the Economic Policy Subcommittee of the Senate Banking Committee; and he is a good friend.

So while I voted to confirm Kyle with enthusiasm, my enthusiasm is mixed with sadness to see a close and trusted aide go. But my loss will be America's gain. The NCUA, American taxpayers, and millions of people who rely on credit unions will be well served by Kyle, who brings to the job a collegial spirit and rare knowledge of financial markets.

Kyle's expertise comes from years of work for the bipartisan SEC Advisory Committee and on Wall Street itself, where he focused on the very same money markets where credit unions obtain their financing. Lest anyone think that Kyle doesn't understand what struggling American families can face, as an analyst on the Asia desk at Lehman Brothers, Kyle lost his job and his savings during the financial crisis, which means he has a deep and gut-level understanding about how decisions made by bankers and bureaucrats at the top can have serious consequences for everyone else.

Kyle has put this knowledge of the banking system and its implications to

excellent use as my top aide. He has provided invaluable counsel and shepherded legislation through Congress on topics as wide-ranging as money laundering, consumer fraud, and blockchain technology. In fact, I have high hopes that an anti-money laundering bill on which Kyle and I worked for months, the ILLICIT CASH Act, will pass this Congress before the year is through.

That is not all Kyle has accomplished. As a top committee aide, he has worked diligently to plan hearings and broker compromises with other Senators' staff. As anyone who knows Kyle can attest, he is a friendly and fast-talking guy, always ready with a joke and a smile, and his congeniality has helped smooth over many partisan spats so that the business of the American people can move forward.

As important, Kyle has served as a valuable liaison between me and credit unions in Arkansas and the surrounding States. Though most credit unions in Arkansas are very small, with maybe millions of dollars under management—not billions of dollars—what our credit unions lack in size they make up for in their mission. They exist not for profit but to serve their members by keeping their money safe and providing credit at reasonable rates of return.

So while our credit unions may not always manage vast fortunes, they do manage vast dreams. They safeguard the savings and extend opportunity to a customer base in Arkansas that looks an awful lot like the rest of America—senior citizens who have used the same banks for decades, for instance, or young families building a foundation for a better life.

Kyle is very well acquainted with these credit unions from his work for me in the Banking Committee, but you don't have to take my word for it. Just listen to the Arkansas Credit Union Association, which submitted a letter in support of Kyle's nomination. I will quote from it here at length. This is from the group's executive director:

On behalf of the Arkansas Credit Union Association, I'll say that we probably feel the same way you do—that he'll be difficult to replace yet the NCUA is lucky to have him.

I've gone to Washington for a couple decades now on behalf of Arkansas credit unions, most of which are very small, rural institutions. Our largest credit union has just over \$1 billion in assets, which would be considered small even by community-bank standards. The rest are much smaller, where you can count on one hand the number of ATMs they have. While advocating for these community-based lenders, I've encountered a lot of Congressional staffers. Kyle is the best I've dealt with.

Given his background at large, international finance firms, you might think Kyle wouldn't understand the needs of our members, who are mostly low- or moderate-income families. Yet it's quite the opposite: he has gone above and beyond to listen, respond quickly and empathize with our concerns. His knowledge of financial markets is an asset, not a liability.

I'm aware that NCUA board members aren't like Senate staffers; I'll no longer be a constituent but rather someone working

for the institutions Kyle will be regulating. But I think you'll agree that he'll continue to be fair, professional and serious about his work.

I can tell you I very much do agree with every word of that letter and similar letters we have received about Kyle and his work on behalf of Arkansans.

Washington can sometimes be a confusing place, so Kyle's assistance keeping Arkansans in the loop has been a great blessing to many of the people we serve. I remember the countless emails from small business owners praising Kyle for his help in understanding and receiving assistance through the CARES Act in March, April, and May, at the height of the danger and the uncertainty about the coronavirus pandemic.

That was all Kyle, and I am confident he will bring the same customer service mentality to his work at the NCUA. That is because Kyle, like the credit unions he will regulate, is driven by a sense of mission: to help his fellow Americans achieve their financial goals and the American dream. That dream is based on freedom.

Alongside his hero, the great apostle of opportunity, Jack Kemp, Kyle knows "there are no limits to what free men and women and free enterprise in a free society can accomplish when [men and women] are free to follow their dream."

Credit unions allow millions of Americans to follow their dreams. So while I am sad to say farewell to Kyle as a trusted aide, I will take consolation in the fact that he is going to serve our fellow Americans in the cause of freedom, and I know that he will serve them well. Thank you, Kyle, and Godspeed.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TOOMEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## CARES ACT FUNDING

Mr. TOOMEY. Madam President, I rise this afternoon because while we were away for our Thanksgiving break, there were some very important developments on an important piece of legislation that we passed earlier this year, the CARES Act. Specifically, what I am referring to is the decision that was made by the Treasury Secretary, Secretary Mnuchin, to not extend the 13(3) lending facilities that we dramatically expanded in the CARES Act.

By way of reminder, let me summarize these facilities. When the economy first began to close down back in March-April, one of the things that started to happen was a collapse of our credit markets. I will get into that in a little bit.

In response to that, we in Congress passed the CARES Act, which, among other things, appropriated just under half a trillion dollars—\$500 billion—for the Treasury to use to capitalize special purpose vehicles, which would be set up as entities from which the Federal Reserve would lend money, buy securities, and provide liquidity to the marketplace. Those facilities were scheduled to end by the end of the year.

In keeping with the written statute and certainly the intent of Congress, Secretary Mnuchin announced that these programs will, in fact, end as they are supposed to. I commend him for making the right decision, and I commend Chairman Powell for agreeing to a subsequent request from the Treasury Secretary to return the unused money.

As it happened, the program, the concept, worked so well that the mere announcement and the mere creation of the capability on the part of the Fed to provide this liquidity was enough to restore functioning capital markets.

It was an extraordinary amount of trust that we put in both Treasury Secretary Mnuchin and Chairman Powell, giving them extremely powerful, unprecedented emergency and temporary tools. I commend them both for working together with those tools, for achieving the intended purpose, and for putting them away once the purpose had been achieved.

Some of our Democratic colleagues have been extremely critical of this decision on the part of Secretary Mnuchin not to extend these programs. I want to address some of the arguments and why Secretary Mnuchin, in fact, did exactly the right thing.

Let's go back and take a hard look at what we were facing in March of 2020. Unprecedented turmoil in the credit markets were threatening the ability of virtually every business, State, and municipality in America to obtain credit—a real threat to the financial plumbing, so to speak, of our entire economy. Credit markets were on the verge of shutting down. There was a mass flight of investors out of any kind of financial instrument and into cash. People were trying to sell everything they had. Prices were dropping in a free fall. In many instances, there was no buyer; there was no price at which one could sell an investment. Of course, that meant that a borrower couldn't sell a bond or couldn't issue a commercial paper. This was the freeze-up in our financial markets that we were right on the verge of, and we were very desperately afraid that, if this happened—if our financial markets came to a grinding halt and you could neither borrow nor lend either in the capital markets or in the private lending markets of banks—then that would almost assuredly accelerate the downward spiral of our economy and could even lead to a severe depression that could last, potentially, a very long time.

You don't have to take my word for it. A very well-stated summary of what was happening comes from Kent Hiteshew, who was the Deputy Assistant Director for Financial Stability at the Federal Reserve. He was a senior executive at the Federal Reserve, who, in his testimony before the congressional oversight committee, had this to say:

The conditions that prevailed during March were unprecedented—far worse than during the onset of the financial crisis in late 2008 or even in the days after 9/11, when the municipal market was briefly closed. Interest rates soared . . . mutual fund investors pulled over \$41 billion of assets out of the market in less than three weeks, and market functioning deteriorated to the point that buyers and sellers had difficulty determining prices. Ultimately, this meant that state and local governments were effectively unable to borrow, with most new issues canceled for lack of investor demand.

That was the problem that Congress was seeking to address—a complete freezing up of our capital markets, the inability to borrow or lend. That is the lifeblood of business, which is the source of employment in this country. If we had not done anything at that moment, who knows how many more millions of Americans would have lost their jobs or how many more millions of businesses would have gone under. The economic devastation would have been very, very hard to imagine had we not done anything. Fortunately, we did do something.

Congress decided that this problem could be fixed by providing enough liquidity until the crisis had passed. We would make sure that operations of this liquidity exercise would extend no later than through the end of 2020, and that is what we did in the CARES Act. Just last week, every Republican member of the Senate Committee on Banking, Housing, and Urban Affairs sent a letter to Secretary Mnuchin and Secretary Powell that reaffirmed that this was Congress's intent—a short-term, temporary facility to restore functioning private markets.

I am pleased to report that these emergency facilities absolutely achieved the intended purpose—again, the purpose to stabilize our credit markets, restore the normal flow of credit to borrowers, and allow private capital to continue to resume funding our economy. It worked even better than we had hoped. Markets didn't just improve, and we didn't just see liquidity return; we saw record volumes of new debt issuance, new investor interest, municipal bonds, investment grade corporate bonds, high-yield corporate bonds—volumes that were off the chart in response to these facilities. The credit spreads at which these instruments were issued were very tight, and interest rates were near a record low.

On the banking side, regional banks reported that their commercial borrowers drew down lines of credit so that they had the cash they would need to get through a very difficult period. In fact, many of them have been able

to start paying that cash back. According to various surveys of businesses across America, unmet demand for credit among creditworthy borrowers is almost nonexistent. In other words, as to the creditworthy corporate borrowers—businesses large and small in America—if their credit is strong, they are able to access the facilities they need, the credit they need. That is exactly what we had hoped would happen by virtue of setting up these facilities.

Despite that, some have said that we can't end these facilities that are called the 13(3) facilities because that is a section of existing law under which the Fed is authorized to conduct these activities. People have suggested: Well, you can't end these because the markets depend on them for their normal, smooth functioning. The markets now depend on these facilities. That was what we were told as a reason the Treasury had to extend these, presumably indefinitely, but, in fact, what we saw proved that the naysayers were completely wrong.

In fact, it was on November 19 that Treasury Secretary Mnuchin announced that he would not be extending these programs. How did these financial markets respond? With a yawn. There were no adverse developments whatsoever. They continued their smooth, liquid functioning because, by November 19—in fact, many months prior to November 19—the markets had recovered on their own. They were functioning on their own. They were no longer in need of this fallback facility that we had created. Yet we did need it back in March. Equity markets have hit all-time record highs. Municipal debt and corporate debt volume is very high, and yields are low. The market is functioning very, very smoothly. Clearly, those of us who were advocating for actually following the law and ending these programs were right in that the markets were not actually depending on them anymore.

Other people have said: You shouldn't end the 13(3) facilities for other reasons, one of which was, Who knows what risks might be out there or what bad things might be on the horizon for our economy that would cause us to want to have these facilities? That is a very bad reason for giving indefinite lending authority to the Fed to make direct loans to businesses in America.

First of all, there has never been a day in the history of the Republic that you couldn't imagine some bad thing that could possibly happen on the horizon. That is no reason to create a taxpayer-sponsored backstop for all financial activity—none whatsoever. Sure, a bad thing could happen. Nobody knows. If it does, there is an answer. If such a disaster were to occur in the future and our financial markets were in danger once again of freezing up, then the Fed and Treasury should come back to Congress and ask for whatever authority they think is appropriate for those circumstances. Based on what we did in

March, Congress is quite likely to respond by granting the tools necessary to deal with whatever hypothetical crisis may emerge down the road.

Others of our friends say: You can't get rid of these facilities, and you can't terminate these facilities because there are industries that are failing in America. Let me be clear. It is true that there are industries that are in a world of hurt. We know what they are. The travel industry—much of the tourism and hospitality, which is generally the hotels and restaurants—and a lot of the entertainment venues have been devastated like we have never seen them before. That is a true fact.

I think you can make a strong argument that Congress ought to do something to respond to the circumstances that these folks find themselves in through no fault of their own, but they are in the situation they are in because, in many cases, their Governors closed their States. In other cases, it is because people are just prudently concerned about being in a crowded setting. So there is a problem there—there is a challenge—and we may very well decide we want to address it. Yet having the Federal Reserve lending money to fundamentally insolvent companies is not the role of these facilities. It never was. It is not contemplated in the underlying 13(3) statute, and it is not in the CARES Act. That is not what this program, what these facilities were meant to address.

Let's be clear about what the advocates for continuing these 13(3) facilities are really all about. What is going on here with regard to these programs—this massive, massive amount of money that is at the discretion of the Fed and the Treasury to lend—is they want to use political pressure on the Fed and the Treasury to lend these facilities to favored political constituencies at terms they find appealing or attractive depending on their circumstances. This is exactly the opposite of what a central bank should be doing—capitulating to political pressure to lend to preferred constituents at whatever terms the politics dictate. That could not be anything further from the role the central bank ought to be playing.

To my colleagues who are advocating that we do exactly that with these 13(3) facilities, I couldn't disagree more. If we want to be in the business of picking industries or sectors and subsidizing them or giving them money or treating them in some unusual way, we can have that discussion, but that is fiscal policy. That is a decision that, ultimately, needs to be made by the politically accountable branches of government—the Congress and the President—not by the central bank, which is supposed to be independent and apolitical.

The fact is that I think we deserve congratulations. Even more so, I think the Treasury Secretary and the Chairman of the Fed deserve congratulations for setting up the facilities that have

made it possible for our economy to begin a record recovery from a very, very deep trough that we hit in the late spring of last year.

We all know that we are not at the end goal in that we are not back to full employment yet. We have, as I said before, many companies that are in deep trouble and many that have gone out of business altogether. We have a lot of problems, and we need to deal with them, but we do know this recovery has been occurring at a faster pace than anyone projected. Most economists, including at the Fed, thought that we would be lucky if the unemployment rate dipped below 10 percent by the end of this year, but it was at 6.9 percent at the end of October. We have a long way to go before we get back to the barely above 3 percent unemployment rate that we were enjoying before this pandemic hit, and by all means, we need to stay at it until we get there, but we won't do that by turning the Fed into the allocator of credit based on political demands. That would be a very, very bad idea. It would lead to worse economic outcomes and all kinds of distortions, and it would erode the independence of the Fed.

As I say, I congratulate and commend the Treasury Secretary for making the right decision and the Chairman of the Federal Reserve for returning the unspent money. These programs have been remarkably successful. They have served their purpose. Their purpose is now behind us, and we need to continue the policies that will allow us to have the economic recovery we need without these programs continuing.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

#### APPOINTMENT OF SPECIAL COUNSEL

Mr. CORNYN. Madam President, just as I came to the floor, I saw an announcement by the Attorney General of the United States that he was appointing U.S. Attorney Durham as a special counsel under the same provisions under which Robert Mueller was appointed as a special counsel. While, ordinarily, I am no fan of special counsel appointments, I think this one is important for a very simple reason.

With the election of a new administration and the peaceful transfer of power anticipated on January 20, it is important to the country that the Durham investigation—wherever it may lead—be concluded in a nonpolitical and nonpartisan fashion and that, with whatever is disclosed about the efforts made at the FBI under the direction of Mr. Comey—under his leadership—and the actions of his subordinates at the FBI, it is important to the country and to the ongoing reputation of the Department of Justice and the Federal Bureau of Investigation that the facts be known and not be swept under the rug.

So I congratulate the Attorney General for making that appointment, which ensures that the public, the

American people, will finally learn what the facts are and not have them filtered through the media, which, unfortunately, has taken on some of the partisan polarization that is reflective of our larger society in a way that, I think, has prevented the facts from being fully known.

Inspector General Horowitz, at the Department of Justice, has done a great service in his investigations, but the Durham investigation is, perhaps, the single most important investigation being conducted and one that, I hope, when it is concluded, will once again help to restore public confidence in those great American institutions known as the Department of Justice and the FBI.

#### CORONAVIRUS

Earlier this afternoon, the majority leader shared some good news in our ongoing effort to deliver an additional coronavirus relief package to the American people before we adjourn for the Christmas holidays.

Following discussions with Secretary Mnuchin and the White House Chief of Staff, there now seems to be a general agreement on a path forward that could gain bipartisan support in Congress and earn the signature of the President.

People sometimes forget, we are an important part of the process, but the person who signs legislation or would choose to veto it is an important partner in that legislative process as well. So the fact that President Trump has indicated he would sign such a bill is encouraging.

The majority leader is in the process of drafting this new language, which could finally break the gridlock which has put us in such a precarious position in terms of delivering the relief to the American people that they need, both from a public health and an economic standpoint. This may finally put us on a path to passing another relief bill before the end of this year.

We know we are going to have to do it, but we should not make the American people endure additional pain and anxiety and hardship as a result of political dysfunction by kicking it over into the new administration.

For months on end, my constituents in Texas and the American people have waited as political dysfunction has stood in the way of progress on COVID-19 relief. With case counts climbing in Texas and across the country, the need for action cannot be overstated.

It is clear that Republicans, both in the Congress and the White House, are prepared to make a deal, and I hope our colleagues across the aisle can bring themselves to stop blocking relief and to do the same.

(Mr. CASSIDY assumed the Chair.)

And as I see the Presiding Officer take his seat, I am reminded, too, there is an additional bipartisan bill, introduced by a group of Senators, including the Presiding Officer, that I think provide some other shape and contours to

what a potential bipartisan relief package will look like. So here in the waning days of this Congress, as we approach the Christmas holidays, I think the best Christmas present we could confer on the American people is to work together in a bipartisan way to provide both the public health relief and the financial support that they need during this challenging time.

#### BUSINESS BEFORE THE SENATE

With the work of one Congress drawing to a close and the start of a new one just around the bend, this time of year is typically as busy as it is productive. We still have a lot to do, including funding of the government. With the current continuing resolution expiring on December 11, we need to get the next and final version of the National Defense Authorization Act to the President's desk and, as I said, hopefully, agree on another coronavirus relief bill.

These priorities seem to dominate the headlines but represent only a fraction of what I hope we can accomplish in the waning days of this Congress.

Before the pandemic turned the work of Congress on its head, we were making serious progress on countless bills to help improve the lives of the American people, with a bipartisan focus on prescription drug pricing, for example.

A poll last fall found that the No. 1 healthcare item people want Congress to address is prescription drug costs. Since 2014, prescription drug prices have surged by 33 percent—more than any other medical product or service.

I am honored to sit on both the Senate Finance and Judiciary Committees, where we have been looking at these high costs and some of the behavior behind them. And, yes, some of this is caused by bad behavior.

There are pharmacy benefit managers who negotiate backdoor rebates—kickbacks, basically—which drive up out-of-pocket costs for consumers. And what I find seriously concerning is that there is anticompetitive behavior by some drug manufacturers to try to manipulate higher prices and to maintain their patent, even though, under ordinary circumstances, the time for that patent would have expired, and it would have gone to generic or biosimilar competition.

Some companies have figured out how to game the system to prevent those lower cost competitors from ever reaching the market. I think the most popular prescription drug in America is HUMIRA, which is, by all accounts, nearly a miracle drug. It is used to treat arthritis and a number of other conditions, and it has been available on the market for 17 years.

Now, you typically think of expensive drugs like those that come to the market that are patented to preserve the investment that has been made through the research and that has produced a lifesaving drug but not one that has been around for nearly two decades. Why is it that that hasn't gone from branded drug, protected by a

patent with exclusive rights to sell it, to a generic or biosimilar competition?

Well, AbbVie, the company that makes HUMIRA, has demonstrated how to game the system so that no competition can ever enter the market and bring those drug prices down as a result, and they remain the sole provider of this ubiquitous drug.

What they have figured out, through, I am sure, a lot of smart lawyers and others, is how to weave an intricate maze of overlapping patents, which make it nearly impossible for a competitor to come to market.

To date, there are five competitors to HUMIRA available in Europe, but all are blocked from being sold here in the United States until 2023. How is that possible? Well, they have effectively found loopholes that allow them to create a monopoly. And without any action from Congress, patients will continue to pay higher prices for drugs like HUMIRA that should cost a fraction of the current sticker price.

Now, to be clear, patents themselves are not the enemy. It is important that we protect the intellectual property of people who create new lifesaving or life-extending drugs, like HUMIRA. But patents and exclusivity periods are designed for a purpose; that is, to allow these drug manufacturers to recover their cost and maybe, just maybe, make a profit.

The problem is not the patent. The problem is the abuse of those patents by some of the pharmaceutical companies. This, of course, is driven by a desire to increase their bottom line, which is understandable, but it is no excuse for manipulating or gaming the patent system.

As a result, it is becoming more and more difficult for patients to continue to be able to afford the drugs they need. And for folks who have lost their jobs or healthcare during the pandemic, it has made many of these drugs simply unaffordable.

Last year, I introduced bipartisan legislation with our colleague from Connecticut, Senator RICHARD BLUMENTHAL, to take aim at these corrupt practices.

Our bill is called the Affordable Prescriptions for Patients Act, and it streamlines the litigation process by limiting the number of patents these companies can claim, so companies are spending less time in the courtroom and, hopefully, encouraging the transition from branded, patented drugs to the lower cost generic or biosimilar competition.

Our bill would allow competitors to resolve patent issues faster and bring their drugs to market sooner. And, of course, more competition means lower prices for patients.

This legislation was specifically designed not to stifle innovation. It doesn't limit patent rights, and it doesn't cost taxpayers a dime. In fact, the Congressional Budget Office estimates it would actually lower Federal spending by more than half a billion

dollars over 10 years—and that is just for the government reduction cost, not the cost savings to consumers or private health plans. We know there would be significant savings for consumers with private health insurance as well.

So what happened to this bill we introduced last year? Well, it passed unanimously in the Judiciary Committee last June. Not a single Senator on a famously contentious committee like the Judiciary Committee, where we have a lot of very talented Democrats and Republicans—not a single Senator opposed it in the Judiciary Committee because it made so much sense.

With no concerns over the policies laid out in the bill, I came to the Senate floor last fall to ask unanimous consent that it be passed. But in the runup to the November 3 election, the Democratic leader blocked the legislation. He singlehandedly stopped this commonsense, bipartisan legislation from advancing to the House.

To make matters worse, he didn't just do it once; he did it twice. The Democratic leader went so far as to call my attempt to pass this commonsense bill “a manipulative charade” and “a little game.”

This is far from a game. It is a downright shakedown of patients who are struggling to afford the drugs they need to improve their quality of life or to survive.

I continue to hear from my constituents back home in Texas who feel burdened, confused, and downright frustrated by rising out-of-pocket costs at the pharmacy. Medications they have been taking for years just keep getting more and more expensive, with no explanation behind the increase.

Another famous example is the cost of insulin, a drug that has been around, I don't know—the Presiding Officer would know better than I would—maybe 50 years or longer. You would think low-cost alternatives would be available, but the cost of insulin just keeps going up and up and up as manufacturers learn how to game the system to maintain the maximum price, and, in the meantime, it results in less affordability by the consumers who need it who may ration their insulin. As we heard from one witness at the Finance Committee, as the Presiding Officer will remember, a woman—I believe she was from Indiana—talked about her son continuing to live at home, putting off life-changing experiences like perhaps getting married or buying a house because he was worried about his ability to continue to pay the deductible and the copay for the insulin that was important for him to survive.

As COVID-19 continues to create new stresses for the American people regarding their health, this is a bill whose time has clearly come. It is clear that the problem won't go away without action by Congress, and so I would hope that now that the election is over,

the Democratic leader would stop blocking this bipartisan bill that Senator BLUMENTHAL and I have introduced and that passed unanimously out of the Judiciary Committee.

TRIBUTE TO MARTHA MCSALLY

Mr. President, on one final matter, every other December we have the difficult task of saying farewell to some of our colleagues. Today, I want to say a few words about our friend from Arizona, Senator MCSALLY, whose successor, I believe, will be sworn into office tomorrow.

Before she was Senator MCSALLY or Congresswoman MCSALLY, she was known as Colonel MCSALLY—a dedicated, courageous, and extremely talented Air Force pilot.

During her 26-year career in the Air Force, she made a habit out of breaking barriers and became the first woman in U.S. history to fly a fighter jet in combat.

But those of us who know Senator MCSALLY can say—and certainly her incredible staff can attest to this—that she is not one to rest on her laurels. She was always pushing herself and those around her to aim higher, to do better, to work harder. So it is no surprise she became the first woman ever to command a fighter squadron in the Air Force.

Her arrival in the Senate brought with it a wealth of knowledge and experience on many issues that are important to our work here, particularly those surrounding the military and veterans, and Senator MCSALLY has been a fierce and unyielding advocate for all of our servicemembers and veterans and their families.

As a member of the Armed Services Committee, she has played a critical role in developing major legislation to support them, such as the National Defense Authorization Act, which I mentioned earlier.

But she has also been a champion to our servicemembers through lesser known but still very important legislation. Last month, President Trump signed a bill she introduced to improve mental health delivery for veterans and to help those who are suffering from post-traumatic stress disorder to receive the treatment they need.

Over the last 2 years, I have enjoyed working with Senator MCSALLY on a number of shared priorities. Both of our home States were devastated by mass shootings, and we introduced legislation to reduce that sort of horrific violence and to prevent more communities from experiencing these tragedies. Of course, we are both Senators from border States, so you can imagine that we have worked together to improve border security along our southern border and ensure that trade and the good parts of having a common border with our southern neighbor remain effective and efficient. Once COVID-19 hit, we teamed up on legislation to protect the healthcare workers who lost their jobs during the pandemic.

Senator MCSALLY has continuously fought for change, both big and small, to improve the lives of her constituents in Arizona and to strengthen our national security. We will miss this dedicated friend and colleague, but I know her work is far from finished. I have no doubt that Senator MCSALLY will remain a strong voice for Arizonans and an unshakable advocate for our servicemembers and veterans. We are grateful for her lifelong service to our country, and I am eager to see the ways that Senator MCSALLY will continue to make her home State proud and make the American people's lives just a little bit better each day.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. PORTMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. PORTMAN. Mr. President, I ask unanimous consent that notwithstanding the provisions of rule XXII, the postcloture time on the Hauptman nomination expire at 11:45 a.m. tomorrow and the Senate vote on confirmation of the nomination; further, that if cloture is invoked on the Davis nomination, the Senate then vote on the motion to invoke cloture on the Waller nomination. I further ask that the postcloture time with respect to the Davis nomination expire at 2:05 p.m. tomorrow and the Senate vote on confirmation of the nomination and that the confirmation vote with respect to the Waller nomination occur at a time to be determined by the majority leader in consultation with the Democratic leader on Thursday, December 3; finally, that if any of the nominations are confirmed, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

CORONAVIRUS

Mr. PORTMAN. Mr. President, I am here on the floor today to, once again, talk about the need for this Senate and this Congress to pass legislation to deal with the COVID-19 crisis. I think we have to do this now before the end of the year—certainly, before we leave the Congress to go back home for the holiday recess.

We just got back from a weeklong recess for Thanksgiving, and all the Members of this body—all of them—had to have seen what I saw, which is an up-close look at the crisis that is upon us.

In Ohio, our daily new cases are four times what they were just 1 month ago—four times. I see the numbers every single day, and they are discouraging.

And it is not just new cases. It is more people hospitalized. It is more

people in the ICU units. It is more people, tragically, who are counted among the fatalities.

This morning, I tried to call a friend of mine who is in the hospital in Columbus, OH. He is there because of COVID. And I am just thinking probably of the people watching tonight, most either have had COVID themselves or have a friend or a family member who have had COVID.

This friend was unable to talk to me because he had taken a turn for the worse. His organs were starting to malfunction. He had slipped into unconsciousness. I was able to speak to his wife. I told her, of course, that he is in our prayers. But I also told her that he is in my thoughts as we look at whether we should do something more here at the Federal level to help with the coronavirus pandemic.

Of course, we should. It has been a long time since we took action. You really have to go back several months. The last big package was passed in March, about 9 months ago. It is time for us to act again.

And there is some good news out there. With all of the negative news about the cases and hospitalizations, ICUs, and, tragically, the fatalities increasing, the good news is that there is hope on the horizon, and that is the vaccines.

I have been a big supporter of providing the Federal funding for the vaccines. And I applaud the administration for the work they have done on this Operation Warp Speed because I believe that while masks are critical—and I wear mine, and I hope you are wearing yours—the social distancing is very helpful; the work that people are doing on the therapies is really important; and we need more testing, and that is good to know where we stand, but nothing can take the place of these vaccines.

Think about the other diseases we have tackled with vaccines—measles and small pox and polio. My dad had polio as a kid. It was fairly common. Today, we don't even think about it.

These vaccinations, if they work well, can be amazing. And guess what we learned over the past several weeks. We learned that the early results from some of these vaccines, including the early data we have from the Moderna and the Pfizer candidates are incredibly effective. We are talking over 90 percent efficacy or effectiveness.

I am participating in one of the trials. It is the Janssen-Johnson & Johnson trial. That vaccine shows promise also. I joined the trial, by the way, for a few reasons: One, because I really want to understand better how this system is working, and I had received a briefing from a company that manages trials around the world, and they indicated to me that they were having trouble getting people to sign up. So another reason I entered was because I asked them: If I sign up, will that help? They said: If you are willing to go public, yes. So I did, and I am.

But I also joined the trial because I am concerned about the numbers I see about people's concerns about the safety and effectiveness of these vaccines—because, I know, through Operation Warp Speed, that the science is calling the shots; that these scientists, the best in the world here in America, are working around the clock to get these vaccines out as quickly as possible, and we have to be sure people actually use them, that people are willing to get vaccinated.

When I joined the trial only a few weeks ago—several weeks ago, maybe 4 or 5 weeks ago. This is before the election—Gallup had recently come out with a survey which said that only 50 percent of Americans were willing to be vaccinated. That is not good.

Again, this is a vaccine that is very effective. The flu vaccine is probably about 30 percent effective, and I have friends who say: I am not going to take the flu vaccine. I took one last year, and I got the flu anyway. Well, that is because it is about 30 percent effective, on average.

That is not true with these vaccines. From the early indications, again, 90, 95 percent, 94 percent effectiveness or efficacy.

So I urge people to do their own research, to look at what the scientists are saying, look at what Dr. Fauci is saying, look at what those who are the professionals are saying. They are saying that corners are not being cut here. In fact, it is going quickly, but they are being more careful than ever to get this emergency use authorization, which is what the Pfizer and the Moderna vaccine candidates are trying to get right now. They actually have to go through more hoops than normal. So my hope is that this willingness to be vaccinated changes.

By the way, there was another Gallup poll 2 weeks ago, and it didn't show 50 percent, it showed 58 percent are willing to be vaccinated. That is good. That is progress. I think that is because we are beyond the election, and the irresponsible people who were saying publicly: Gosh. I don't know if I trust this because it was during the Trump administration, if they were Democrats, perhaps, have stopped saying it. I hope they have because this is not something that is political. We should never politicize this. This is about saving lives. It is about getting our economy back on track. It is about dealing with a virus that has caused so much devastation and dislocation in our families, in our communities, in our businesses.

So my hope is that everyone will be encouraged to, again, look at it yourself, do your own research but get yourself and your families vaccinated because it is going to help you protect you and also protect the community. It is the only way we are going to get to the kind of community immunity rather than community spread that all of us hope for.

Leader McCONNELL spoke on the floor here yesterday, the Republican leader,

the majority leader. He said that we need a new COVID-19 bill to continue investing in the distribution system for these vaccines so we can get them in circulation as soon as possible.

I couldn't agree with him more. That is part of why we need another COVID-19 bill. We actually need more money for ensuring that we are going to have these vaccines broadly available with a distribution system that makes sense, that is fair but also gets this out as quickly as possible.

You know, this Operation Warp Speed did something extraordinary. It is a public-private partnership. I think it is very innovative. They said: The government is going to subsidize your production of these vaccines, and while you are going through the approval process, which takes several months, you can go ahead and start producing what you think is the right vaccine that you are testing, and then, if you get the approval—boom—the vaccine is ready to go; as compared to getting the approval and then waiting several more months for the vaccine to be produced.

That means we are going to probably end up discarding some vaccines that don't work, that don't get the approval. That is OK because the benefit is that much sooner we are going to have a vaccine out there now in record time. Unprecedented. This has never happened in the history of the world that one has been created so quickly and will be distributed so quickly.

I expect we are going to have vaccines circulating in our communities within a few weeks, and I suspect that they will go first to, as the CDC will determine—and they are meeting next week to talk about this, as I understand it—but it will probably go first to our healthcare providers, to the healthcare workers who are on the frontlines. It will probably go first to people who work in nursing homes because so much of that problem in our long-term care facilities comes from people going in and out of the facility. Those people should be vaccinated, the residents of those long-term care facilities. And I believe our first responders need help as quickly as possible because we are putting them in impossible situations. And then the most vulnerable among us—those who are immunocompromised or have other healthcare problems that are pre-existing, those who are older and out in concentric circles from that to the point that, by March and April, we would hope that everybody would have the opportunity to step up and become vaccinated.

That is something all of us want to see—Republicans and Democrats alike. A COVID-19 bill passed now will help make that happen. It will also help us to get over the valley. The valley, to me, is between now, where we have this surge in the virus that has not abated—in Ohio, I am told by the experts, including talking to our public health officials and our Governor, we do not believe that we have peaked. I don't

know about your State, but I believe the same thing is probably true.

So there is a valley here between now and the March-April timeframe. During those 4 months, we have to have a bridge, in my view. It is not forever. It is a bridge between now and March and April, when the vaccinations are broadly available, and we can have the kind of community immunity we talked about earlier.

That bridge is going to be extremely important to the people I represent and the people whom every Member on this floor represents.

We had some earlier successes coming together to pass legislation around here. When the coronavirus first hit, we were all together. In fact, the CARES Act that passed in March, 9 months ago, passed unanimously—not a single negative vote. We got together, actually, for four or five different bills that were bipartisan, and we were all together. Then something happened. We started to sort of split apart.

But when we were together, we did some great things. Was every penny spent exactly right? Probably not because it was a lot of money, but we saved so many small businesses. I know of them because they are all over Ohio, and I talk to them.

The PPP program was a great success. Again, did some get it who shouldn't have? Of course, but, overall, it was extremely successful in keeping the doors open in these small businesses that otherwise would have closed and keeping these employees working and connected to work rather than on the unemployment lines. That was very important.

CARES Act funds also were critical to those who lost their jobs through no fault of their own. You remember, we had a lot of shutdowns in the March and April timeframe. People were just out of work for the first time in their lives. I have friends who lost their jobs for the first times in their lives, and they had to go to unemployment insurance. They had never done that before, but it saved them. They could make their car payments. They could make their rent or pay their mortgage.

There were other important steps that were taken at that time to be sure that we didn't have a more devastating impact. I am proud of the way we came together, but, again, that was 8 or 9 months ago.

And I have been frustrated that that sense of urgency and that willingness to sort of set aside the partisanship or whatever our specific concerns were to come together for the good of the country seems to have dissipated. It, particularly, seemed to disappear as we got closer and closer to the election. There seemed to be more and more politics finding its way into the discussion.

Well, the election is over. Republicans here in the Senate have offered a responsible, targeted bill focused on funding our healthcare response, supporting our small businesses, making

our schools safe for students to return to class, helping those unemployed through no fault of their own. We have actually twice had a majority of this Senate, in the last month and a half, stand up and vote for such a bill—a targeted, focused bill on COVID-19 response—52 Senators.

(Thereupon, Mr. SCOTT of Florida assumed the Chair.)

Unfortunately, here in the Senate, that wasn't enough because you need 60—a supermajority—in order to pass it. So although we had 52 out of 100, we didn't get to 60. Democrats opposed it but didn't offer an alternative here in the Senate and didn't even allow us to get on the bill to debate it to come up with alternatives. Instead, they supported the House-passed bill, which is called the Heroes Act, which not only is a lot more expensive—the original version was probably \$3.5 trillion, according to the Congressional Budget Office, the most expensive legislation ever passed by any body of Congress—but also it included a number of provisions that had nothing to do with the coronavirus. That was not something that a lot of us could support. There are immigration law changes, tax breaks for wealthy individuals, and other provisions unrelated to COVID-19.

My hope is that now, the election behind us, the crisis upon us, the year-end looming, the vaccines coming online, now we can provide that bridge on a bipartisan basis. And I am not just hopeful; I am encouraged. We have made some recent progress towards what I think could be a good COVID-19 relief package.

This morning, a bipartisan framework was put forward by what is called the Problem Solvers Caucus, with four Members on the Democratic side and four Members on the Republican side. Their proposal—we have all had a chance to look at it now, during the day, and I think it is the basis for getting something done before the end of the year. I have been in discussion with those eight Members as recently as this afternoon. I have been in discussion over the past several weeks with many colleagues on both sides of the aisle about, how do you come together on this? And I think what was proposed today by this Problem Solvers Caucus is a good start. It is not exactly what I would write. I have some ideas that I think are really good that aren't in there, and there are some things in there that I wouldn't support. It probably is not what any individual Senator would write. In fact, I am confident in that. But, again, it is a good starting point.

It has about \$300 billion to help bolster the PPP program, to keep it going and to help struggling small businesses. A lot of them are on the edge right now; I can tell you that. There is \$16 billion for the vaccine distribution we talked about and also for more testing and more money for therapy. There is \$180 billion to help Americans who

have lost their jobs during this downturn in the economy, in addition to a lot of other important provisions for our schools and for our healthcare providers. It doesn't do everything Republicans want; it doesn't do everything Democrats want; but it does what the American people need.

I hope this starting point will result in our getting the same kind of broad bipartisan support that we have had for previous bills that have been offered here on the Senate floor.

Again, I would like to add some things to it that I think make a lot of sense. Specifically, there are some tax incentives to boost our economic recovery, like the healthy workplaces tax credit to help businesses reopen and stay open with the current safety and social distancing guidelines. I would like to expand and repurpose the employee retention tax credit and the work opportunity tax credit from the CARES Act into something that is more encompassing for companies that don't qualify for PPP but that are willing to retain their employees, again, keeping them connected to work, which I think is so important.

Again, we need to act soon because I am concerned about some of the new reports coming out on the economic impact this pandemic is having, especially on certain sectors of the economy and particularly on middle and lower income Americans. After the initial economic shutdown that created the record unemployment numbers we saw in the early weeks of this pandemic, unemployment claims began to fall. The Paycheck Protection Program helped small businesses stay open and keep employees on payroll, which was good. As more businesses found ways to reopen and reopen safely, hiring picked up, and as of October, national unemployment was moving in the right direction—not near where it was pre-pandemic but still in the right direction.

But then we have seen more troubling signs as the pandemic—the healthcare crisis aspect of the pandemic—has increased. One problem is that the partial economic recovery we were seeing was not evenly distributed across different sectors of our economy. That is pretty obvious to people. If you are a manufacturer in Ohio that closed your factory floor this spring, you were able to figure it out—reconfigure the workspace, perhaps, allow for social distancing—and demand started to go back up, and it looks like our manufacturers are in pretty good shape now. But if you are in the hospitality business, travel business, personal care business, you have been hit really hard. Our restaurants, bowling alleys, music venues, coach companies, and many more have had a much tougher path to reopening their doors in a safe way.

I had a very sobering call with members of the Ohio Restaurant Association last week. It is troubling to me that more than half of all Ohio res-

taurants say it is unlikely they will be in business 6 months from now in the absence of more help. So without a new PPP and other help, half of them said they are going to close their doors. I am in the restaurant business. It is a tough business. People are hanging on.

We have to do something to help the economically disadvantaged also. At the start of 2020, thanks to consecutive years of strong growth in the pre-COVID economy, under the Trump administration's Republican proposals—tax cuts, tax reform, regulatory relief, allowing our energy resources to be used in this country—things were going pretty darn well.

The national poverty rate over the last few years—before COVID started in February of this year, the national poverty rate had fallen to the lowest rate since the government started tracking this statistic 60 years ago. Let me repeat that. The poverty rate had fallen to its lowest level since it was recorded—10.5 percent.

The economy was good—not just low unemployment but also higher wages. We actually had in February the 19th straight month of wage increases of 3 percent or more. That was compounded. People were saying: My gosh, if I work hard and play by the rules, I can get ahead. Things were good particularly because that wage increase was primarily focused on lower and moderate-income Americans. But that all changed as we hit COVID.

The early economic stimulus actually helped drive that poverty rate lower than I talked about in the March-April timeframe. But since then, a lack of Federal action and this sluggish economic recovery we have seen have reversed that process, with nearly 7 million Americans falling into poverty since May. That means the poverty rate has now risen 2 percentage points to 11.4 percent. That represents 7 more million Americans who have fallen into poverty.

So people say: What has the coronavirus done to the economy? There it is. Among other things, it has driven the poverty rate back up after we had so much success. What is worse, the longer these individuals stay in poverty, the harder it will be for them to get out of poverty. That is one of my concerns—long-term unemployed, long-term problems with regard to the poverty rate.

A big part of the problem is that those who are most vulnerable to sliding into poverty—these low-income Americans we are concerned about—have been the hardest hit by the waves of layoffs that started in the spring. Nearly half of all lower income adults now report that either they or someone else in their household lost a job or took a pay cut as a result of the economic slowdown—half. In comparison, only about one-third of higher income Americans report being affected in this way. Maybe that is obvious to you, but the woman who works in the kitchen for that restaurant who lost her job,

maybe making \$15, \$16 an hour, compared to maybe somebody who works in a factory making \$25 or \$30 an hour—those restaurant workers have been more affected. That has been played out through so many different industries around the economy where lower income individuals, often who cannot work mobile—they can't virtually work, unlike someone, say, who is in the financial services industry. They have been some of the hardest hit.

Another economic slowdown caused by our failure to act here in Congress would only exacerbate those real hardships being felt by those who can least afford it. Do we have a magic wand here? No. We can't solve all the problems, but we can help.

With so many challenges to contend with, it is concerning to me that the Senate will be in session for only 11 more days before we adjourn for the holidays. We have to act, and we have a very short window to do so.

By the way, we should not leave Washington without acting. We should not leave Washington for the holidays without passing a COVID-19 response bill. If we do, we will be risking even more devastation from the virus and even more economic impacts, where millions of Americans could lose their jobs, their homes, their cars, and more.

We can help avoid this if we provide the necessary resources to continue to combat the ongoing pandemic as well as addressing a lot of the important provisions created under the CARES Act way back 9 months ago that were set to expire at the end of this year.

Of these provisions, one of the most concerning to me is the cliff that we face with regard to unemployment benefits for those who have lost their jobs due to COVID-19. Both the Pandemic Unemployment Assistance Program and the Pandemic Emergency Unemployment Compensation Program will expire at the end of this month. These are supplementary Federal programs designed to help the self-employed, gig economy workers, and those who need extra support while on unemployment during the pandemic. I know some of these people. I have talked to them. They are nervous. They are looking at this year-end and thinking: My gosh, I am on unemployment now. Even though I am self-employed and I wouldn't have been on it under the State system, now the Feds are going to pull out, and I am left with nothing.

Even with the economic rebound we have had since the spring, we are still down 10 million jobs in this country since February. Think about it. Again, the economy was going great, the policies we put in place were working, and we are still down 10 million jobs. A further slowdown of the economy is going to be tough for those long-term unemployed, and my concern is that some of them may never reenter the workforce. So we need to act and act quickly to get them back in the mix.

With the latest round of stricter social distancing measures and closures

in some States in order to counter the coronavirus, more jobs will vanish. We are seeing that already. Look at the States that are doing shutdowns—higher unemployment, more people without a job. Losing that unemployment insurance lifeline will be devastating for lots of those Americans. Let's not let that happen.

The end of 2020 also means the end of other important COVID-19 response programs. Many individuals who had their incomes affected by this pandemic are also renters. The current national moratorium on evictions has allowed these individuals to keep a roof over their head while they look for work and try to hold their lives together, but this moratorium expires at the end of the year. So you will see a lot more people losing their apartment, losing their home, and ending up without anyplace to go. We need to act here in Congress to make sure that doesn't happen.

Same goes for the millions of individuals who are currently relying on student loan deferrals to free up money to cover expenses during the pandemic. Come the start of next year, these student loan payments will be due if we don't act. A lot of people relied on this. It is not that they won't have to pay, but it has been deferred. That ends at year-end.

My hope is that laying out everything we stand to lose in just a few weeks at year-end will encourage Congress to act on targeted coronavirus legislation to serve as that bridge—just as a temporary bridge between now and when we have widespread vaccine availability next spring. Failure to act could mean further economic suffering that puts millions more Americans in a tough spot.

In the face of a virus that seems to be getting more and more out of hand every day, it just seems like common sense to me that we should act. We should come together to expand and extend these important programs.

Again, I agree with Leader MCCONNELL, who spoke on the floor yesterday, talking about the importance of providing support for, as an example, our hardest hit small businesses by having a second round of Paycheck Protection Program targeted at those companies that are actually losing money, year-to-year showing this month as compared to a year ago or this quarter as compared to a year ago that they are seeing a significant drop in the revenue. These are the ones that need the help the most.

In addition, we should consider other important provisions, again, to provide funding to keep our kids safe in school—we want them in school; it is a good thing for them, but we have to be sure they can be safe—facilitate vaccine distribution, support our healthcare providers, and funding and flexibility for State and local governments that truly need it. They have to show the need.

American lives are at stake, and we are in danger of losing whatever

ground we gained on the coronavirus as this third wave threatens my home State of Ohio and the States of so many of my colleagues in this Chamber.

Let's not wait any longer. Let's come together and get something done that is good for the American people before the end of the year. And let's stay here. I am committed to staying here. Let's stay here until we do that.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

## LEGISLATIVE SESSION

### MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

### ARMS SALES NOTIFICATION

Mr. RISCH. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. JAMES E. RISCH,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 20-52 concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Brazil for defense articles and services estimated to cost \$70 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

HEIDI H. GRANT,  
Director.

Enclosures.

TRANSMITTAL NO. 20-52

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Brazil.

(ii) Total Estimated Value:

Major Defense Equipment \* \$40 million.

Other \$30 million.

Total \$70 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MOE): Twenty-two (22) MK 54 Conversion Kits—to Convert MK 46 Mod 5 A(S) Torpedoes to MK 54 Mod 0 Lightweight Torpedoes.

Non-MDE: Also included are torpedo containers, Recoverable Exercise Torpedoes (REXTORP) with containers, Fleet Exercise Section (FES) and fuel tanks, air launch accessories for rotary wing, torpedo spare parts, propellant, lanyard start assembly suspensions bands, thermal batteries, training, publications, support and test equipment. U.S. Government and contractor engineering, technical, and logistics support services, and other related elements of logistics and program support.

(iv) Military Department: Navy (BR-P-GVU).

(v) Prior Related Cases, if any: None.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: December 1, 2020.

\* As defined in Section 47(6) of the Arms Export Control Act.

#### POLICY JUSTIFICATION

##### Brazil—MK 54 Lightweight Torpedoes

The Government of Brazil has requested to buy twenty-two (22) MK 54 conversion kits—to convert MK 46 Mod 5 A(S) torpedoes to MK 54 Mod 0 lightweight torpedoes. Also included are torpedo containers, Recoverable Exercise Torpedoes (REXTORP) with containers, Fleet Exercise Section (FES) and fuel tanks, air launch accessories for rotary wing, torpedo spare parts, propellant, lanyard start assembly suspensions bands, thermal batteries, training, publications, support and test equipment. U.S. Government and contractor engineering, technical, and logistics support services, and other related elements of logistics and program support. The total estimated value is \$70 million.

This proposed sale will support the foreign policy and national security objectives of the United States by improving the security of an important regional partner that is an important force for political stability and economic progress in South America.

The Government of Brazil intends to utilize MK 54 Lightweight Torpedoes on its Sikorsky S-70B "Seahawk" aircraft and surface ships.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be Raytheon Integrated Defense System, Portsmouth, RI. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require long-term assignment of any additional U.S. Government or contractor representatives to Brazil; however, U.S. Government Engineering and Technical Services may be required on an interim basis for training and technical assistance.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 20-52

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The MK 54 Torpedo is a conventional torpedo that can be launched from surface ships and rotary- and fixed-wing aircraft. The MK 54 is an upgrade from the MK 46 Torpedo. The upgrade to the MK 54 entails replacement of the torpedo's sonar and guidance and control systems with modern technology. The new guidance and control system uses a mixture of commercial-off-the-shelf and custom-built electronics. The warhead, fuel tank, and propulsion system from the MK 46 torpedo are re-used in the MK 54 configuration with minor modifications.

2. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware or software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that Brazil can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

5. All defense articles and services listed in this transmittal have been authorized for release and export to Brazil.

#### ARMS SALES NOTIFICATION

Mr. RISCH. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. JAMES E. RISCH,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 21-04 concerning the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of Canada for defense articles and services estimated to cost \$275 million. After

this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

HEIDI H. GRANT,  
Director.

Enclosures.

TRANSMITTAL NO. 21-04

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Canada.

(ii) Total Estimated Value:

Major Defense Equipment \* \$0 million.

Other \$275 million.

Total \$275 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE): None.

Non-MDE: C-17 sustainment support to include aircraft hardware and software modification and support; software delivery and support; ground handling equipment; component, parts and accessories; GPS receivers; alternative mission equipment; publications and technical documentation; contractor logistics support and Globemaster III Sustainment Program (G3) participation; other U.S. Government and contractor engineering, technical, and logistical support services; and related elements of program and logistical support.

(iv) Military Department: Air Force (CN-D-QCV).

(v) Prior Related Cases, if any: CN-D-QCR, CN-D-QZZ.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: None.

(viii) Date Report Delivered to Congress: December 1, 2020.

\* As defined in Section 47(6) of the Arms Export Control Act.

#### POLICY JUSTIFICATION

##### Canada—C-17 Sustainment

The Government of Canada has requested to buy C-17 sustainment support to include aircraft hardware and software modification and support; software delivery and support; ground handling equipment; component, parts and accessories; GPS receivers; alternative mission equipment; publications and technical documentation; contractor logistics support and Globemaster III Sustainment Program (G3) participation; other U.S. Government and contractor engineering, technical, and logistical support services; and related elements of program and logistical support. The total estimated program cost is \$275 million.

This proposed sale will support the foreign policy and national security objectives of the United States by helping to improve the military capability of Canada, a NATO ally that is an important force for ensuring political stability and economic progress, and a contributor to military, peacekeeping and humanitarian operations around the world.

The proposed sale will improve Canada's capability to meet current and future threats by sustaining their strategic air lift capability, which allows Canada to maintain sovereignty and homeland defense, increase interoperability with the United States and other partners, and deter potential adversaries. Canada already operates the C-17 and will have no difficulty absorbing the additional sustainment or upgrades into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be The Boeing Company, Chicago, IL. There are no known offset agreements in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to Canada.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

#### ARMS SALES NOTIFICATION

Mr. RISCH. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. JAMES E. RISCH,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 20-84 concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Croatia for defense articles and services estimated to cost \$757.0 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

HEIDI H. GRANT,  
Director.

Enclosures.

TRANSMITTAL NO. 20-84

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Croatia.

(ii) Total Estimated Value:

Major Defense Equipment \* \$218.0 million.

Other \$539.0 million.

Total \$757.0 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase: The U.S. Government has offered Croatia, under the grant Excess Defense Articles (EDA) program, eighty-four (84) M2A2 Operation Desert Storm (ODS) Bradley Fighting vehicles in as-is, where is condition. This notification is for refurbishment/modernization and support of seventy-six (76) of the vehicles consisting of:

Major Defense Equipment (MDE):

Eighty-four (84) M240 Machine Guns.

One thousand one hundred three (1,103) TOW 2A Radio Frequency (RF) Missiles.

Sixteen (16) TOW 2A Radio Frequency (RF) Fly-to-Buy Lot Acceptance Missiles.

One hundred (100) TOW 28 Radio Frequency (RF) Missiles.

Eight (8) TOW 2B Radio Frequency (RF) Fly-to-Buy Lot Acceptance Missiles.

Five hundred (500) TOW Bunker Buster (BB) Radio Frequency (RF) Missiles.

Eight (8) TOW BB Fly-to-Buy Lot Acceptance Missiles.

Non-MDE: Also included are M257 Smoke Grenade Launchers; ammunition; radios; simulator; special armor; Hunter/Killer technology, which may include an exportable Commander's Independent Viewer (CIV); spare and repair parts; support equipment; upgrade/maintenance of engines and transmissions; refurbishment of TOW launchers; depot level support; communication support equipment; tool and test equipment; training; U.S. Government and contractor engineering, technical, and logistics support services; and other related elements of logistics and program support.

(iv) Military Department: Army (HR-B-UBV).

(v) Prior Related Cases, if any: HR-B-IAG.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: December 1, 2020.

\* As defined in Section 47(6) of the Arms Export Control Act.

#### POLICY JUSTIFICATION

##### Croatia—Bradley Fighting Vehicle Refurbishment/Modernization

The Government of Croatia has requested to buy refurbishment/modernization and support for seventy-six (76) M2A2 Operation Desert Storm (ODS) Bradley Fighting vehicles consisting of: eighty-four (84) M240 machine guns; one thousand one hundred three (1,103) TOW 2A Radio Frequency (RF) missiles; sixteen (16) TOW 2A Radio Frequency (RF) fly-to-buy lot acceptance missiles; one hundred (100) TOW 2B Radio Frequency (RF) missiles; eight (8) TOW 2B Radio Frequency (RF) fly-to-buy lot acceptance missiles; five hundred (500) TOW Bunker Buster (BB) Radio Frequency (RF) missiles; and eight (8) TOW BB fly-to-buy lot acceptance missiles. Also included are M257 Smoke Grenade Launchers; ammunition; radios; simulator; special armor; Hunter/Killer technology, which may include an exportable Commander's Independent Viewer (CIV); spare and repair parts; support equipment; upgrade/maintenance of engines and transmissions; refurbishment of TOW launchers; depot level support; communication support equipment; tool and test equipment; training; U.S. Government and contractor engineering, technical, and logistics support services; and other related elements of logistics and program support. The total estimated program cost is \$757 million.

This proposed sale will support the foreign policy and national security of the United States by improving the security of a NATO Ally that continues to be an important force for political stability and economic progress in Europe.

This proposed sale of the Bradley vehicle refurbishment/modernization will contribute to Croatia's goal of updating its military capability while further enhancing interoperability with the United States and other allies. Croatia will have no difficulty absorbing these equipment and support into its armed forces.

The proposed sale of this equipment will not alter the basic military balance in the region.

The prime contractors will be BAE Systems, York, Pennsylvania; and Raytheon

Missile Systems, Tucson, Arizona. There are no known offset agreements proposed in connection with this potential sale.

Implementation of the proposed sale will require U.S. Government and contractor personnel to visit Croatia on a temporary basis in conjunction with program oversight and support requirements, as well as to provide training and maintenance support in country.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 20-84

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The Modernized Bradley M2 components which are considered to contain sensitive technology are as follow:

a. Exportable version of the Second Generation Thermal "Night Vision" Viewer, also known as the Second-Generation Forward Looking Infrared (SG-FLIR). For the Modernized Bradley M2, the SG-FLIR system includes:

(1) Improved Bradley Acquisition Subsystem (IBAS) is a second-generation forward looking infrared (FLIR) and an electro-optical/TV imaging system. The IBAS has direct-view optics (DVO) and the eye-safe laser rangefinder (ELRF). The IBAS interfaces with the Bradley fire control system and can be used for surveillance and as a back-up engagement sight for the commander.

(2) Commander's Independent Thermal Viewer (CIV) is another version of the second-generation forward looking infrared (FLIR) and an electro-optical/TV imaging system. The CIV allows the commander to scan for targets and maintain situational awareness while remaining under armor and without interfering with the gunner's acquisition and engagement of targets.

(3) High Definition (HD) Long-Wave SG-FLIR sight is currently under development for the Bradley Fighting Vehicle. The HD Long-wave FLIR is being developed as an eventual upgrade to the capability of the IBAS and CIV. This case may include the non-recurring engineering costs associated with developing an exportable version of HD Long-wave FLIR for International use.

b. Exportable version of the Drivers Vision Enhancer (DVE), the "Night Vision" Viewer utilized by the Bradley drivers is a passive thermal imaging system, or "night vision" device used to enhance a driver's viewing capabilities while operating during degraded visual conditions, such as darkness, fog, smoke or dust. It provides for an improved situational awareness, applicable to both driving and surveillance. The DVE system consists of a Display Control Module (DCM), Sensor Module (SM), and Pan and Tilt Modules (PTM). The DVE is currently available in the standard and wide (DVE-Wide) configurations. The DVE-Wide provides drivers with wider fields of view.

c. Exportable version of the Inertial Navigation Unit (INU) is a navigation device that uses motion sensors or accelerometers and rotation sensors or gyroscopes to continuously calculate the position, the orientation, and the velocity of Bradley vehicle without the need for external references. It is a supplementary, complementary to the global positioning system (GPS). In the event of a lack of a GPS signal, the INU maintains position, velocity, and situational awareness.

d. The Radio Frequency TOW 2A (RF) Missile (BGM-71E-4B-RF) is a direct attack missile designed to defeat armored vehicles, reinforced urban structures, field fortification

and other such targets. TOW Missiles are fired from a variety of TOW Launchers in the U.S. Army, USMC and FMS customer forces. The TOW 2A RF missile can be launched from the same launcher platforms as the existing wire-guided TOW 2A missile without modification to the launcher. The TOW 2A missile (both wire and RF) contains two tracker beacons (Xenon and thermal) for the launcher to track and guide the missile in flight. Guidance commands from the launcher are provided to the missile by the RF link contained within the missile case. The hardware, software, and technical publications provided with the sale thereof are unclassified. However, the system itself contains sensitive technology that instructs the system on how to operate in the presence of countermeasures.

e. The Radio Frequency TOW 2B (RF) Missile (BGM-71F-3-RF) is a fly-over shootdown missile designed to defeat armored vehicles. TOW Missiles are fired from a variety of TOW Launchers in the U.S. Army, USMC and FMS customer forces. The TOW 2B RF missile can be launched from the same launcher platforms as the existing wire-guided TOW 2B missile without modification to the launcher. The TOW 2B missile (both wire and RF) contains two tracker beacons (Xenon and thermal) for the launcher to track and guide the missile in flight. Guidance commands from the launcher are provided to the missile by the RF link contained within the missile case. The hardware, software, and technical publications provided with the sale thereof are unclassified. However, the system itself contains sensitive technology that instructs the system on how to operate in the presence of countermeasures.

f. The Radio Frequency TOW Bunker Buster (BB) Missile (BGM-71H-1-RF) is a variant of the TOW 2A that replaces the TOW 2A warhead with a high explosive blast-fragmentation warhead. The bulk charge warhead is effective against reinforced concrete walls, light armored vehicles, and earth and timber bunkers. Guidance commands from the launcher are provided to the missile by the RF link contained within the missile case.

2. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures or equivalent systems which might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that Croatia can provide the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the enclosed Policy Justification.

5. All defense articles and services listed in this transmittal have been authorized for release and export to Croatia.

#### ARMS SALES NOTIFICATION

Mr. RISCH. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. JAMES E. RISCH,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 20-86 concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Republic of Korea for defense articles and services estimated to cost \$39 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

HEIDI H. GRANT,  
Director.

Enclosures.

TRANSMITTAL NO. 20-86

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Republic of Korea.

(ii) Total Estimated Value:  
Major Defense Equipment\* \$30 million.  
Other \$9 million.  
Total \$39 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Two (2) MK 15 MOD 25 Phalanx Close-In Weapons System (CIWS) Block 1B Baseline 2 (1B2) Systems

Four thousand (4,000) Rounds, 20MM Cartridge API Linked

Non-MDE: Also included are spare parts; other support equipment; ammunition; books and other publications; software; training; engineering technical assistance and other technical assistance; and other related elements of program and logistical support.

(iv) Military Department: Navy (KS-P-LRH).

(v) Prior Related Cases, if any: None.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: December 1, 2020.

\*As defined in Section 47(6) of the Arms Export Control Act.

#### POLICY JUSTIFICATION

Republic of Korea—MK 15 MOD 25 Phalanx Close-In Weapons System (CIWS) Block 1B Baseline 2 (1B2) System

The Republic of Korea has requested to buy two (2) MK 15 MOD 25 Phalanx Close-In Weapons System (CIWS) Block 1B Baseline 2 (1B2) systems; and four thousand (4,000) rounds, 20MM cartridge API linked. Also included are spare parts; other support equipment; ammunition; books and other publications; software; training; engineering tech-

nical assistance and other technical assistance; and other related elements of program and logistical support. The estimated total cost is \$39 million.

This proposed sale will support the foreign policy goals and national security objectives of the United States by improving the security of a Major Non-NATO Ally that is a force for political stability and economic progress in the Pacific region.

The proposed sale will improve the Republic of Korea's capability to meet current and future threats. Korea will use the systems aboard its first KDX III Batch II Class ship to provide it with effective means of detecting and defending itself against incoming airborne threats. The Republic of Korea will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be Raytheon Missile and Defense, Louisville, KY. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to the Republic of Korea. However, U.S. Government or contractor personnel in-country visits will be required on a temporary basis in conjunction with program technical oversight and support requirements, including multiple trips by U.S. Government and contractor representatives to participate in program and technical reviews, as well as to provide training and maintenance support in country, as required.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 20-86

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The MK 15 MOD 25 Phalanx Close-In Weapon System (CIWS) consists of a rapid-fire computer-controlled radar and gun system mounted on a turret designed to defeat anti-ship missiles; small surface craft; low, slow aircraft; rockets and mortars. The weapons system carries out search, detection, target threat evaluation, tracking, firing and kill loop fire control that uses advanced radar and computer technology to locate, identify and direct a system of armor piercing projectiles to the target. The Phalanx Block 1B Baseline 2 (1B2) Radar Upgrade Kits converted the system's radar from an analog to digital suite, and in doing so addressed significant hardware obsolescence.

2. The highest level of classification of defense articles, components, and services included in this potential sale is CONFIDENTIAL.

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that the Republic of Korea can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

5. All defense articles and services listed in this transmittal have been authorized for release and export to the Republic of Korea.

## ARMS SALES NOTIFICATION

Mr. RISCH. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. JAMES E. RISCH,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 20-58 concerning the Army's proposed Letter(s) of Offer and Acceptance to the Kingdom of Saudi Arabia for defense articles and services estimated to cost \$350 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

HEIDI H. GRANT,  
Director.

Enclosures.

TRANSMITTAL NO. 20-58

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Kingdom of Saudi Arabia

(ii) Total Estimated Value:

Major Defense Equipment\* \$0 million.

Other \$350 million.

Total \$350 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE): None

Non-MDE: U.S. Security Assistance Office (SAO) support services to include technical assistance and advisory support to the Kingdom of Saudi Arabia's Ministry of Defense (MOD) for an additional five years, through the U.S. Military Training Mission to Saudi Arabia (USMTM) located in Riyadh, Saudi Arabia. SAO support services provided includes: Pay and allowances for U.S. Military, U.S. Government, and Foreign National staff members; USMTM communications support costs; local contracting costs; construction and renovation costs of housing area; transportation costs; U.S. Mail services support costs; dependent education (grades K through 12); administrative costs; temporary duty costs for USMTM personnel; Value Added Taxes (VAT) assessed by Saudi Arabia; future transition costs to move USMTM to a proposed new housing location in Saudi Arabia; and other related elements of logistical and program support.

(iv) Military Department: Army (SR-B-ABY).

(v) Prior Related Cases, if any: SR-B-ABV, SR-B-ABW, SR-B-ABX.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: None.

(viii) Date Report Delivered to Congress: December 1, 2020.

\*As defined in Section 47(6) of the Arms Export Control Act.

## POLICY JUSTIFICATION

Saudi Arabia- Security Assistance Office (SAO) Support Services, U.S. Training Mission to Saudi Arabia (USMTM)

The Kingdom of Saudi Arabia has requested U.S. Security Assistance Office (SAO) support services to include technical assistance and advisory support to the Kingdom of Saudi Arabia's Ministry of Defense (MOD) for an additional five years, through the U.S. Military Training Mission to Saudi Arabia (USMTM) located in Riyadh, Saudi Arabia. SAO support services provided includes: Pay and allowances for U.S. Military, U.S. Government, and Foreign National staff members; USMTM communications support costs; local contracting costs; construction and renovation costs of housing area; transportation costs; U.S. Mail services support costs; dependent education (grades K through 12); administrative costs; temporary duty costs for USMTM personnel; Value Added Taxes (VAT) assessed by Saudi Arabia; future transition costs to move USMTM to a proposed new housing location in Saudi Arabia; and other related elements of logistical and program support. The total estimated cost is \$350 million.

This proposed sale will support the foreign policy goals and national security objectives of the United States by improving the security of a friendly country that is a force for political stability and economic progress in the Middle East.

This proposed sale will continue to improve Saudi Arabia's capability to meet current and future threats by utilizing USMTM's continued efforts to train, advise, and assist the Saudi Arabian Armed Forces to build defense capacity and capability through military exercises and professional military education. USMTM conducts non-combat, institutional advising that assists the MOD in developing, training, and sustaining a capable deterrent to regional threats.

The proposed sale of this support and services will not alter the basic military balance in the region.

There is no prime contractor associated with this proposed sale. There are no known offset agreements in connection with this potential sale.

Implementation of this proposed sale will continue to require the permanent assignment of approximately 330 U.S. Military, U.S. Government, and Foreign National USMTM staff members to Saudi Arabia. Additional Training Advisory Field Teams (TAFT) and Support teams will travel to the country on a temporary basis as required.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

## ARMS SALES NOTIFICATION

Mr. RISCH. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30

calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. JAMES E. RISCH,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 20-30 concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Lebanon for defense articles and services estimated to cost \$55.5 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

HEIDI H. GRANT,  
Director.

Enclosures.

TRANSMITTAL NO. 20-30

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Lebanon.

(ii) Total Estimated Value:

Major Defense Equipment\* \$40.0 million.

Other \$15.5 million.

Total \$55.5 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Up to three hundred (300) M1152 High Mobility Multi-purpose Wheeled Vehicles (HMMWVs) (2 purchases of one hundred fifty (150) each).

Non-MDE: Also included are spare and repair parts, publications and technical documentation, personnel training and training equipment, technical and logistics support services, and other related elements of logistical and program support.

(iv) Military Department: Army (LE-B-WCC).

(v) Prior Related Cases, if any: 7C-B-UWZ, LE-B-UAH, QE-B-URV.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: None.

(viii) Date Report Delivered to Congress: December 1, 2020.

\*As defined in Section 47(6) of the Arms Export Control Act.

## POLICY JUSTIFICATION

Lebanon—M1152 High Mobility Multi-purpose Wheeled Vehicles (HMMWVs)

The Government of Lebanon has requested to buy up to three hundred (300) M1152 High Mobility Multi-purpose Wheeled Vehicles (HMMWVs) (2 purchases of one hundred fifty

(150) each). Also included are spare and repair parts, publications and technical documentation, personnel training and training equipment, technical and logistics support services, and other related elements of logistical and program support. The total estimated cost is \$55.5 million.

This proposed sale will support the foreign policy and national security of the United States by helping to improve the security of a partner country that continues to be an important force for political stability and economic progress in the Middle East.

The proposed sale will provide sufficient modern transport vehicles to improve Lebanon's capability to meet current and future threats by improving its ability to move troops and supplies around the country to counter violent extremist organizations and to secure its border. Lebanon will have no difficulty absorbing this additional equipment and services into its armed forces as they currently operate over one thousand (1,000) HMMWVs of various variants.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be American General, South Bend, Indiana. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require the assignment of two (2) U.S. contractor representatives to Lebanon for a duration of up to thirteen (13) weeks to conduct HMMWV operator and maintenance training.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

#### VOTE EXPLANATION

Ms. SINEMA. Mr. President, I was necessarily absent, but had I been present I would have voted yes on roll-call vote No. 240, motion to invoke cloture on the nomination of Taylor B. McNeel, of Mississippi, to be United States District Judge for the Southern District of Mississippi.

#### TRIBUTE TO MAJOR MARK BEDRIN

Mr. MORAN. Mr. President, today I want to take a few minutes to recognize MAJ Mark Bedrin for his exemplary dedication to duty and service as an Army congressional fellow and congressional budget liaison for the Assistant Secretary of the Army, Financial Management and Comptroller. Major Bedrin is transitioning from his present assignment to continue his service to our country as an Army officer.

The cornerstone of Mark's success as an officer is his family. He is a dedicated husband to his wife Katie and a devoted father to his children: daughter Elizabeth and son Patrick. They provide the foundation for Mark's service, and they are his off-time partners in travel, canoeing, fishing, and exploring the great outdoors.

A native of Kirkwood, NY, Major Bedrin graduated from Pennsylvania State University in 2009, with a bachelor of arts in history, and commissioned into the Infantry branch, where he served as a platoon leader and company commander. Other notable previous assignments include platoon

leader, Attack Company, 1-32 IN, 3rd BCT, 10th Mountain Division at Fort Drum, NY, and Afghanistan; assistant operations officer, rifle troop commander, and headquarters and headquarters troop commander, 1st Squadron, 2d Cavalry Regiment, U.S. Army Europe, in Germany, Afghanistan, and Egypt. His operational deployments include two combat tours in support of Operation Enduring Freedom in Afghanistan and one peacekeeping tour supporting the Multinational Force and Observers, MFO, in Egypt.

Following a successful command tour, Mark applied to and was selected for the highly competitive U.S. Army Congressional Fellowship Program. This program enables outstanding military officers and DOD civilians to bring their talents to the hill and to work in a Member's office as a congressional defense fellow to learn firsthand how Congress operates. It also provides an opportunity for the fellow to earn a master's degree in legislative affairs at George Washington University, GWU.

Mark joined my office as an Army congressional fellow in January 2017, and we had the great benefit of his service on Team Moran for a year before he departed for the Pentagon in January 2018 for a utilization tour as a congressional budget liaison with the Assistant Secretary of the Army, Financial Management and Comptroller.

Mark has worked tirelessly with Members of Congress and congressional staff to accurately articulate and to timely provide the Army's budget positions to the Appropriations Committees and to answer questions related to Army programs and priorities for Members of Congress and congressional staff. His dedication, professionalism, and commitment to the Army are unmatched, and his work both as a fellow and as a liaison successfully represented the U.S. Army and the Department of Defense to the U.S. Congress.

Throughout his career, Major Bedrin has positively impacted soldiers, peers, and superiors. Our country has benefited tremendously from his extraordinary leadership, judgment, and passion. I join my colleagues today in honoring his dedication to our nation and invaluable service to the U.S. Congress.

It has been a genuine pleasure to have worked with Major Mark Bedrin over the last 3 years. On behalf of a grateful nation, I join my colleagues today in recognizing and commending Mark for his service to our country, and we wish Mark and his family all the very best in their future endeavors.

#### TRIBUTE TO MIKE HELDSTAB

Mr. MORAN. Mr. President, Mike Heldstab joined my staff in June of 2014. Serving as my State military liaison, he assisted well over a thousand Kansas veterans and Active servicemembers during his 6½ years on my staff. Mike would often travel the State in my stead, between commu-

nities in south central Kansas and our military installations—namely, Fort Riley and his hometown of Junction City.

Mike is a tireless advocate for servicemembers and veterans. He is well known in the Kansas military and veterans communities as a trusted resource who produces results. Most notably, Mike advocated for a policy change in the VA's Specially Adapted Housing Program after working with the family of a disabled Army veteran to adapt their home. His efforts resulted in new legislation that was signed into law on August 8, 2020, that expanded this critical grant program so disabled veterans can adapt their homes to fit their disability. I am confident that Mike's selfless approach to service will continue in every aspect of his life.

In addition to his work assisting veterans and military servicemembers, Mike was involved in Wichita-area volunteer organizations and strived to be a community leader. Mike has a passion for economic development that I am certain will serve him well in his next chapters in life. I commend his efforts to make Kansas and Wichita a better place.

Mike's highlights from his years on staff include being able to travel and meet with Senator Bob Dole between 2014 and 2015 when Kansas's Favorite Son was touring all 105 counties. He also cherished his opportunities to interact with our military, which provided him the chance to fly in Air Force tankers out of McConnell Air Force Base and playing wheelchair basketball with wounded warriors.

While Mike is leaving our staff, I know I will see him many more times in the years ahead as a friend and trusted adviser. Thank you, Mike, for your many years of service to the citizens of Kansas, and I wish you all the best as you start this new chapter of your career.

#### TRIBUTE TO MAJOR BRIAN LEITZKE

Mr. COTTON. Mr. President, I rise today to acknowledge and honor MAJ Brian Leitzke for his dedicated service in the U.S. Air Force and his completion of the Air Force Legislative Defense Fellowship with my office. Major Leitzke joined my office in January of this year, where he served as my Defense Fellow. Previously, he served as an Air Force Fellow in the Office of the Secretary of Defense. As a Defense Fellow, Major Leitzke demonstrated a superior work ethic and tireless dedication to his legislative duties, making him a trusted voice and integral member of my defense team. Major Leitzke drafted or coauthored almost 40 pieces of legislation, including \$45.2 billion in authorizations for the National Defense Authorization Act and the CARES Act. Additionally, he prepared for 28 hearings of the Senate Armed Services Committee and orchestrated

more than 30 engagements between Department of Defense principals, staff, and Members of Congress. Finally, he single-handedly championed the bill which granted Sergeant First Class Alwyn C. Cashe the President of the United States Medal of Honor Authority. As part of this effort, he galvanized bicameral, bipartisan support across 12 Member offices.

Brian is a humble professional, relentlessly focused on accomplishing tremendous work for our nation, as demonstrated both in my office and during his time in the Air Force. Prior to his current status as a Defense Fellow, Major Leitzke was an F-15E instructor at the USAF Weapons School, embracing the task of teaching the Air Force's best tacticians. There, he served as the wing weapons officer and was selected Wing Instructor of the Year. He had a career of continuous flying until this assignment, with combat experience in Operation ENDURING FREEDOM, and well over 500 instructor hours. He recently completed an Air University master's with "Highest Academic Distinction" and achieved a 4.0 grade point average. Major Leitzke demonstrated tactical acumen and extraordinary leadership ability in each of these challenges, including his time in the Senate.

On behalf of the U.S. Senate and a grateful nation, I want to express our thanks to Major Letizke for his dedicated service to the U.S. Air Force, the U.S. Senate, Arkansans, and all Americans. My office has benefited greatly from his tireless efforts and leadership. I have no doubt the U.S. Air Force will continue to reap the benefits from this truly dedicated American. As I thank Major Leitzke for his service, I also thank his wonderful family, which has remained by his side for his years of military service. Major Leitzke resides in Woodbridge, VA, with his loving wife, Amanda Leitzke, and three children, Lincoln, Faith, and Kamali. It has been a great privilege to work with Major Leitzke, and I wish him the best of luck on his next assignment. Thank you for everything Major Brian "Bud" Leitzke. Continue your work doing "Good things for America." "Banzai!"

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-5930. A communication from the Under Secretary of Defense (Acquisition and Sustainment), transmitting, pursuant to law, a report relative to an inventory summary of certain required activities performed during the preceding fiscal year pursuant to staff augmentation contracts for services for on behalf of the Department; to the Committee on Armed Services.

EC-5931. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Panama; to the Committee on Banking, Housing, and Urban Affairs.

EC-5932. A communication from the Secretary of the Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Use of Derivatives by Registered Investment Companies and Business Development Companies" (RIN3235-AL60) received in the Office of the President of the Senate on November 16, 2020; to the Committee on Banking, Housing, and Urban Affairs.

EC-5933. A communication from the Secretary of the Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Facilitating Capital Formation and Expanding Investment Opportunities by Improving Access to Capital in Private Markets" (RIN3235-AM27) received in the Office of the President of the Senate on November 16, 2020; to the Committee on Banking, Housing, and Urban Affairs.

EC-5934. A communication from the Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "General Provisions; Electric Bicycles" (RIN1024-AE61) received in the Office of the President of the Senate on November 17, 2020; to the Committee on Energy and Natural Resources.

EC-5935. A communication from the Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Jurisdiction in Alaska" (RIN1024-AE63) received in the Office of the President of the Senate on November 17, 2020; to the Committee on Energy and Natural Resources.

EC-5936. A communication from the Administrator and Chief Executive Officer, Bonneville Power Administration, Department of Energy, transmitting, pursuant to law, the Administration's Annual Report for fiscal year 2020; to the Committee on Energy and Natural Resources.

EC-5937. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report and the Uniform Resource Locator (URL) for the report on other U.S. contributions to the United Nations and its affiliated agencies during fiscal year 2018; to the Committee on Foreign Relations.

EC-5938. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revenue Procedure: Gaming Industry Tip Compliance Agreement Program" (Rev. Proc. 2020-47) received in the Office of the President of the Senate on November 16, 2020; to the Committee on Finance.

EC-5939. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Additional First Year Depreciation Deduction" (RIN1545-BP32) (TD 9916) received in the Office of the President of the Senate on November 16, 2020; to the Committee on Finance.

EC-5940. A communication from the Director of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Gain or Loss of Foreign Persons from Sale or Exchange of Certain Partnership Interests" (RIN1545-BO86) (TD 9919) received in the Office of the President of the Senate on November 16, 2020; to the Committee on Finance.

EC-5941. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of

Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Part B Monthly Actuarial Rates, Premium Rates, and Annual Deductible Beginning January 1, 2021 (CMS-8076-N)" (RIN0938-AU16) received in the Office of the President of the Senate on November 18, 2020; to the Committee on Finance.

EC-5942. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "TD: Updated Life Expectancy and Distribution Period Tables Used for Purposes of Determining Minimum Required Distributions" (RIN1545-BP11) (TD 9930) received in the Office of the President of the Senate on November 16, 2020; to the Committee on Finance.

EC-5943. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Innovative State Initiatives and Strategies for Providing Housing-Related Services and Supports under a State Medicaid Program to Individuals with Substance Use Disorders Who Are Experiencing or at Risk of Experiencing Homelessness"; to the Committee on Finance.

EC-5944. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Transparency in Coverage" (RIN0938-AU04) received during adjournment of the Senate in the Office of the President of the Senate on November 5, 2020; to the Committee on Health, Education, Labor, and Pensions.

EC-5945. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "National Health Service Corps Report to Congress for the Year 2019"; to the Committee on Health, Education, Labor, and Pensions.

EC-5946. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Twelfth Annual Report on Delays in Approvals of Applications Related to Citizen Petitions and Petitions for Stay of Agency Action for Fiscal Year 2019"; to the Committee on Health, Education, Labor, and Pensions.

EC-5947. A communication from the Board Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the Administration's Semiannual Report of the Inspector General and the Semiannual Management Report on the Status of Audits for the period from April 1, 2020 through September 30, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC-5948. A communication from the Archivist of the United States, National Archives and Records Administration, transmitting, pursuant to law, the Administration's Agency Financial Report for fiscal year 2020; to the Committee on Homeland Security and Governmental Affairs.

EC-5949. A communication from the Secretary of Labor, transmitting, pursuant to law, the Department of Labor's Agency Financial Report for fiscal year 2020 and the Uniform Resource Locator (URL) for the Report; to the Committee on Homeland Security and Governmental Affairs.

EC-5950. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, the Department's Agency Financial Report for fiscal year 2020 and the Uniform Resource Locator (URL) for the Report; to the Committee on Homeland Security and Governmental Affairs.

EC-5951. A communication from the Chairman of the Federal Trade Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from April 1, 2020 through September 30, 2020 and the Uniform Resource Locator (URL) for the report; to the Committee on Homeland Security and Governmental Affairs.

EC-5952. A communication from the Director, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation: FAR Case 2019-019, Update to Excess Personal Property Procedures" (RIN9000-A002) received in the Office of the President of the Senate on November 12, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC-5953. A communication from the Director, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation: FAR Case 2018-021, Reserve Officer Training Corps and Military Recruiting on Campus" (RIN9000-AN79) received in the Office of the President of the Senate on November 12, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC-5954. A communication from the Director, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation: FAR Case 2020-006, Documentation of Market Research" (RIN9000-A009) received in the Office of the President of the Senate on November 12, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC-5955. A communication from the Director, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation: FAR Case 2018-023, Taxes-Foreign Contacts in Afghanistan (RIN9000-AN81) received in the Office of the President of the Senate on November 12, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC-5956. A joint communication from the Chairman and the General Counsel, National Labor Relations Board, transmitting, pursuant to law, the Office of Inspector General Semiannual Report for the period of April 1, 2020 through September 30, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC-5957. A communication from the Agency Representative, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Trademark Fee Adjustment" (RIN0651-AD42) received in the Office of the President of the Senate on November 17, 2020; to the Committee on the Judiciary.

EC-5958. A communication from the Director, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Reimbursement of Qualifying Adoption Expenses for Certain Veterans" (RIN2900-AQ01) received during adjournment of the Senate in the Office of the President of the Senate on November 20, 2020; to the Committee on Veterans' Affairs.

EC-5959. A communication from the Director, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Extension of Veterans' Group Life Insurance Application Period in Response to the COVID-19 Public Health Emergency" (RIN2900-AQ98) received during adjournment of the Senate in the Office of the President of the Senate on November 20, 2020; to the Committee on Veterans' Affairs.

EC-5960. A communication from the Director, Office of Regulation Policy and Manage-

ment, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Disclosure of Certain Protected Records Without Written Consent" (RIN2900-AQ64) received during adjournment of the Senate in the Office of the President of the Senate on November 20, 2020; to the Committee on Veterans' Affairs.

EC-5961. A communication from the Director, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Authority of VA Professionals to Practice Health Care" (RIN2900-AQ94) received during adjournment of the Senate in the Office of the President of the Senate on November 20, 2020; to the Committee on Veterans' Affairs.

EC-5962. A communication from the Director, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Administrative Procedures; Guidance Documents" (RIN2900-AQ92) received during adjournment of the Senate in the Office of the President of the Senate on November 20, 2020; to the Committee on Veterans' Affairs.

EC-5963. A communication from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Restoring Internet Freedom, Bridging the Digital Divide for Low-Income Consumers, Lifeline and Link Up Reform and Modernization" ((FCC 20-151) (WC Docket No. 20-151)) received in the Office of the President of the Senate on November 17, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5964. A communication from the Acting Chief, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Unlicensed White Space Device Operations in the Television Bands" ((FCC 20-156) (ET Docket No. 20-36)) received in the Office of the President of the Senate on November 17, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5965. A communication from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Modernizing Unbundling and Resale Requirements in an Era of Next-Generation Networks and Services" ((RIN3060-AL02) (WC Docket No. 19-308)) received in the Office of the President of the Senate on November 17, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5966. A communication from the Chief Petty Officer, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; J5D Optic Line Replacement, Detroit River, Detroit, Michigan" ((RIN1625-AA00) (Docket No. USCG-2020-0610)) received during adjournment of the Senate in the Office of the President of the Senate on November 20, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5967. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Breton Sound, New Orleans, Louisiana" ((RIN1625-AA00) (Docket No. USCG-2020-0684)) received during adjournment of the Senate in the Office of the President of the Senate on November 20, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5968. A communication from the Chief Petty Officer, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; East River, New York, New

York" ((RIN1625-AA00) (Docket No. USCG-2020-0600)) received during adjournment of the Senate in the Office of the President of the Senate on November 20, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5969. A communication from the Chief Petty Officer, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Breton Sound, New Orleans, Louisiana" ((RIN1625-AA00) (Docket No. USCG-2020-0684)) received during adjournment of the Senate in the Office of the President of the Senate on November 20, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5970. A communication from the Chief Petty Officer, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Lower Mississippi River, Mile Marker 721-725, Memphis, Tennessee" ((RIN1625-AA00) (Docket No. USCG-2020-0564)) received during adjournment of the Senate in the Office of the President of the Senate on November 20, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5971. A communication from the Chief Petty Officer, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Boat Parade; San Diego, California" ((RIN1625-AA08) (Docket No. USCG-2020-0656)) received during adjournment of the Senate in the Office of the President of the Senate on November 20, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5972. A communication from the Chief Petty Officer, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Fleet Week Demonstration Area, San Diego Bay, San Diego, California" ((RIN1625-AA08) (Docket No. USCG-2020-0655)) received during adjournment of the Senate in the Office of the President of the Senate on November 20, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5973. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Federal Motor Vehicle Safety Standards; Minimum Sound Requirements for Hybrid and Electric Vehicles" (RIN2127-AM26) received in the Office of the President of the Senate on November 17, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5974. A communication from the Assistant Chief Counsel for General Law, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Metrics and Minimum Standards for Intercity Passenger Rail Service" (RIN2130-AC85) received in the Office of the President of the Senate on November 17, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5975. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Anthropomorphic Test Devices; Q3s 3-Year-Old Child Side Impact Test Dummy; Incorporation by Reference" (RIN2127-AL04) received in the Office of the President of the Senate on November 17, 2020; to the Committee on Commerce, Science, and Transportation.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 4931. A bill to require the Secretary of Energy to establish a grant program to reduce the risk of wildfires caused by power lines, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. PAUL:

S. 4932. A bill to amend title XVIII of the Social Security Act to ensure appropriate global surgical package code values in the Medicare program; to the Committee on Finance.

By Ms. CORTEZ MASTO (for herself, Ms. HIRONO, Mr. BLUMENTHAL, Mr. WYDEN, Mr. MURPHY, Mr. MARKEY, Mr. CASEY, and Mr. VAN HOLLEN):

S. 4933. A bill to provide increased oversight of certain pardons, to clarify the applicability of bribery prohibitions to pardons and commutations, and for other purposes; to the Committee on the Judiciary.

By Mr. BOOKER:

S. 4934. A bill to require the Administrator of the Environmental Protection Agency to conduct a study on mercury vapor released from synthetic flooring made using phenylmercuric acetate, and for other purposes; to the Committee on Environment and Public Works.

By Mr. WYDEN (for himself, Mr. SCHUMER, Mr. BENNET, Mr. BROWN, and Mr. REED):

S. 4935. A bill to provide continued assistance to unemployed workers; to the Committee on Finance.

By Mr. MURPHY:

S. 4936. A bill to prohibit the use of corporal punishment in schools, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEE:

S. 4937. A bill to improve the program providing for private screening companies to conduct security screening at airports, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. KING (for himself and Ms. COLLINS):

S. 4938. A bill to amend the Wild and Scenic Rivers Act to designate certain river segments in the York River watershed in the State of Maine as components of the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CRUZ (for himself, Mr. ROBERTS, Mr. INHOFE, and Mr. JOHNSON):

S. 4939. A bill to require the Secretary of State to submit a report to Congress on the designation of the Muslim Brotherhood as a foreign terrorist organization, and for other purposes; to the Committee on Foreign Relations.

By Mr. KING:

S. 4940. A bill to amend subtitle A of title XX of the Social Security Act to authorize direct support worker career advancement demonstration projects, and for other purposes; to the Committee on Finance.

By Ms. WARREN:

S. 4941. A bill making emergency supplemental appropriations for the fiscal year ending September 30, 2020, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KING:

S. 4942. A bill to amend subtitle A of title XX of the Social Security Act to fund additional projects that focus on competency-

based training for personal or home care aides, and for other purposes; to the Committee on Finance.

By Mr. KING:

S. 4943. A bill to amend title XIX of the Social Security Act to provide enhanced Federal matching payments for direct support worker training programs, and for other purposes; to the Committee on Finance.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. SMITH (for herself, Mr. RUBIO, Mr. BOOZMAN, Mr. VAN HOLLEN, Mr. SCOTT of South Carolina, and Mrs. CAPITO):

S. Res. 780. A resolution designating November 2020 as "National Lung Cancer Awareness Month" and expressing support for the early detection of lung cancer; considered and agreed to.

By Mr. BOOKER (for himself and Mr. SULLIVAN):

S. Res. 781. A resolution supporting the goals of World AIDS Day; to the Committee on Foreign Relations.

## ADDITIONAL COSPONSORS

S. 518

At the request of Ms. CANTWELL, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 518, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 633

At the request of Mr. MORAN, the name of the Senator from Virginia (Mr. Kaine) was added as a cosponsor of S. 633, a bill to award a Congressional Gold Medal to the members of the Women's Army Corps who were assigned to the 6888th Central Postal Directory Battalion, known as the "Six Triple Eight".

S. 1669

At the request of Mr. JOHNSON, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1669, a bill to amend the Federal Food, Drug, and Cosmetic Act to define the term natural cheese.

S. 2492

At the request of Mr. GARDNER, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2492, a bill to amend the Public Health Service Act to provide best practices on student suicide awareness and prevention training and condition State educational agencies, local educational agencies, and tribal educational agencies receiving funds under section 520A of such Act to establish and implement a school-based student suicide awareness and prevention training policy.

S. 2882

At the request of Mr. HEINRICH, his name was added as a cosponsor of S. 2882, a bill to establish a community

wildfire defense grant program, and for other purposes.

S. 2950

At the request of Mr. SULLIVAN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2950, a bill to amend title 38, United States Code, to concede exposure to airborne hazards and toxins from burn pits under certain circumstances, and for other purposes.

S. 3471

At the request of Mr. RUBIO, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from South Dakota (Mr. ROUNDS) were added as cosponsors of S. 3471, a bill to ensure that goods made with forced labor in the Xinjiang Uyghur Autonomous Region of the People's Republic of China do not enter the United States market, and for other purposes.

S. 3722

At the request of Mr. CRUZ, the name of the Senator from Missouri (Mr. HAWLEY) was added as a cosponsor of S. 3722, a bill to authorize funding for a bilateral cooperative program with Israel for the development of health technologies with a focus on combating COVID-19.

S. 3753

At the request of Mr. BRAUN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 3753, a bill to direct the Secretary of Veterans Affairs to ensure that certain medical facilities of the Department of Veterans Affairs have physical locations for the disposal of controlled substances medications.

S. 3995

At the request of Mr. THUNE, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 3995, a bill to limit the authority of States or other taxing jurisdictions to tax certain income of employees for employment duties performed in other States or taxing jurisdictions, and for other purposes.

S. 4141

At the request of Ms. WARREN, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 4141, a bill to refinance Federal and private student loans, and for other purposes.

S. 4564

At the request of Ms. ERNST, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 4564, a bill to authorize the location of a memorial on the National Mall to commemorate and honor the members of the Armed Forces that served on active duty in support of the Global War on Terrorism, and for other purposes.

S. 4730

At the request of Ms. CORTEZ MASTO, the names of the Senator from Mississippi (Mrs. HYDE-SMITH), the Senator from Arizona (Ms. MCSALLY), the Senator from Montana (Mr. DAINES) and the Senator from Virginia (Mr. KAINE)

were added as cosponsors of S. 4730, a bill to amend title 31, United States Code, to require the Secretary of the Treasury to mint and issue quarter dollars in commemoration of the Nineteenth Amendment, and for other purposes.

S. 4778

At the request of Mrs. CAPITO, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 4778, a bill to require the Secretary of Veterans Affairs to submit to Congress a report on the use of security cameras in medical centers of the Department of Veterans Affairs.

S. 4897

At the request of Mr. BARRASSO, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 4897, a bill to reestablish United States global leadership in nuclear energy, revitalize domestic nuclear energy supply chain infrastructure, support the licensing of advanced nuclear technologies, and improve the regulation of nuclear energy, and for other purposes.

S. 4898

At the request of Ms. MURKOWSKI, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 4898, a bill to amend title VI of the Social Security Act to extend the period during which States, Indian Tribes, and local governments may use Coronavirus Relief Fund payments.

S. RES. 778

At the request of Mr. BRAUN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. Res. 778, a resolution recognizing Interscholastic Athletic Administrators' Day on December 15, 2020.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 780—DESIGNATING NOVEMBER 2020 AS “NATIONAL LUNG CANCER AWARENESS MONTH” AND EXPRESSING SUPPORT FOR THE EARLY DETECTION OF LUNG CANCER

Ms. SMITH (for herself, Mr. RUBIO, Mr. BOOZMAN, Mr. VAN HOLLEN, Mr. SCOTT of South Carolina, and Mrs. CAPITO) submitted the following resolution; which was considered and agreed to:

S. RES. 780

Whereas lung cancer is the leading cause of cancer-related death among men and women in the United States, accounting for more deaths than colon cancer, breast cancer, and prostate cancer combined;

Whereas lung cancer is the second most common cancer in the United States;

Whereas it is estimated that 1 in 15 men and 1 in 17 women in the United States will develop lung cancer during their lifetime;

Whereas it is estimated that in 2020, 228,820 individuals in the United States will be diagnosed with lung cancer, and 135,720 individuals will die from the disease;

Whereas the 5-year survival rate for localized lung cancer is around 59 percent, yet

only about 17 percent of lung cancers are diagnosed at this stage;

Whereas screening individuals at high risk of lung cancer using low-dose computed tomography can detect lung cancer earlier than other forms of screening and ultimately save lives;

Whereas lung cancer screening can effectively reduce lung cancer mortality, yet only 3.9 to 8.6 percent of individuals in the United States at high risk of lung cancer undergo lung cancer screening with low-dose computed tomography; and

Whereas educational efforts can increase awareness of lung cancer and lung cancer screening among the general public, patients and their families, and health care workers, thereby increasing the early detection of lung cancer: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates November 2020 as “National Lung Cancer Awareness Month”;

(2) supports the goals and ideals of National Lung Cancer Awareness Month;

(3) promotes efforts to increase awareness of, and education about, lung cancer and lung cancer screening among individuals in the United States;

(4) recognizes the need for research on the early diagnosis, screening, and treatment of lung cancer; and

(5) encourages the people of the United States to observe National Lung Cancer Awareness Month with appropriate awareness and educational activities.

### SENATE RESOLUTION 781—SUPPORTING THE GOALS OF WORLD AIDS DAY

Mr. BOOKER (for himself and Mr. SULLIVAN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 781

Whereas, as of the end of 2019, an estimated 38,000,000 people were living with human immunodeficiency virus (HIV) or acquired immunodeficiency syndrome (AIDS), including 1,800,000 children;

Whereas, in the United States, more than 770,000 people with HIV/AIDS have died since the beginning of the HIV/AIDS epidemic, including nearly 16,000 deaths among people with diagnosed HIV in 2018, with the disease disproportionately affecting certain populations;

Whereas each year nearly 40,000 people become newly diagnosed with HIV in the United States;

Whereas communities of color are disproportionately affected by the spread of HIV in the United States;

Whereas, in order to address the HIV epidemic in the United States, on August 18, 1990, Congress enacted the Ryan White Comprehensive AIDS Resources Emergency Act of 1990 (Public Law 101-381; commonly referred to as the “Ryan White CARE Act”) to provide primary medical care and essential support services for people living with HIV who would benefit from these services;

Whereas the Ryan White HIV/AIDS Program provides services and support for over half of all people diagnosed with HIV in the United States;

Whereas, to further focus attention on the HIV/AIDS epidemic among minority communities in the United States, in 1998, the Minority AIDS Initiative was established to provide funds to State and local institutions and organizations to best serve the health care costs and support the needs of racial and ethnic minorities living with HIV;

Whereas the United Nations Sustainable Development Goals established a global tar-

get to end AIDS as a public health threat by 2030;

Whereas, in order to further address the global HIV/AIDS epidemic, in 2003, Congress and the White House created the President's Emergency Plan for AIDS Relief (PEPFAR);

Whereas the PEPFAR program remains the largest commitment in history by any country to combat a single disease;

Whereas, as of 2019, PEPFAR has supported treatment for approximately 15,700,000 people, including by providing antiretroviral drugs to 2,600,000 pregnant women living with HIV to prevent the transmission of HIV from mother to child during birth;

Whereas, in fiscal year 2019, PEPFAR directly supported HIV testing and counseling for nearly 79,600,000 people;

Whereas the Global Fund to Fight AIDS, Tuberculosis and Malaria, launched in 2002, has helped provide antiretroviral therapy to approximately 20,100,000 people living with HIV/AIDS and to 718,000 pregnant women to prevent the transmission of HIV/AIDS to their children, saving an estimated 38,000,000 lives, as of 2019;

Whereas the United States is the largest donor to the Global Fund to Fight AIDS, Tuberculosis and Malaria, and every \$1 contributed by the United States leverages an additional \$2 from other donors, as required by law;

Whereas considerable progress has been made in the fight against HIV/AIDS, including a 23-percent reduction in new HIV infections, over a 40-percent reduction in new HIV infections among children, and over a 30-percent reduction in the number of AIDS-related deaths between 2010 and 2019;

Whereas approximately 25,400,000 people had access to antiretroviral therapy in 2019, compared to only 7,800,000 people who had access to such therapy in 2010;

Whereas research funded by the National Institutes of Health found that HIV treatment not only saves the lives of people living with HIV, but people living with HIV on effective antiretroviral therapy and who are durably virally suppressed cannot sexually transmit HIV, proving that HIV treatment is prevention;

Whereas it is estimated that, without treatment, half of all infants living with HIV will die before their second birthday;

Whereas, despite the remarkable progress in combating HIV, significant challenges remain;

Whereas there were approximately 1,700,000 new HIV infections in 2019 globally, structural barriers continue to make testing and treatment programs inaccessible to highly vulnerable populations, and an estimated 7,100,000 people living with HIV globally still do not know their HIV status;

Whereas the Centers for Disease Control and Prevention reports that more than 37,000 people were diagnosed with HIV in the United States in 2018 and 14 percent of the 1,200,000 in the United States living with HIV are not aware of their HIV status;

Whereas men who have sex with men (MSM), particularly young MSM of color, are the population most affected by HIV in the United States;

Whereas southern areas of the United States bear the greatest burden of HIV, accounting for 51 percent of new infections in 2018;

Whereas people living with HIV are frequently susceptible to comorbidities, such as hepatitis B and C and tuberculosis;

Whereas the opioid and heroin epidemics have led to increased numbers of new HIV infections among people who inject drugs;

Whereas the crisis has disproportionately affected nonurban areas, where HIV prevalence rates have been low historically and have limited services for HIV prevention and

treatment and substance use disorder treatment;

Whereas, in 2020, the United States hosted the Conference of the International AIDS Society, reinforcing the important leadership role the United States plays in ending AIDS globally;

Whereas the COVID-19 pandemic has placed a significant burden on the public health systems across the United States and the globe;

Whereas December 1 of each year is internationally recognized as “World AIDS Day”; and

Whereas, in 2020, commemorations for World AIDS Day recognize the need for “Global Solidarity, Shared Responsibility”: Now, therefore, be it

*Resolved*, That the Senate—

(1) encourages people around the world to work to achieve the goal of zero new HIV infections, zero discrimination, and zero AIDS-related deaths, in order to end the HIV epidemic in the United States and around the world by 2030;

(2) commends the efforts and achievements in combating HIV/AIDS through the Ryan White HIV/AIDS Treatment Extension Act of 2009 (Public Law 111-87), the Minority HIV/AIDS Initiative, the Centers for Disease Control and Prevention, the National Institutes of Health, the Substance Abuse and Mental Health Services Administration, the Office of Minority Health, and the Office of the Secretary of Health and Human Services;

(3) commends the efforts and achievements in combating HIV/AIDS made by PEPFAR, the Global Fund to Fight AIDS, Tuberculosis and Malaria, and the Joint United Nations Programme on HIV/AIDS;

(4) supports continued funding for prevention, care, and treatment services, and research programs for communities impacted by HIV and people living with HIV in the United States and globally;

(5) urges, in order to ensure that an AIDS-free generation is achievable, rapid action by all countries toward further expansion and scale-up of antiretroviral treatment programs, including efforts to reduce disparities and improve access for children to life-saving medications;

(6) encourages the scaling up of comprehensive prevention services, including biomedical and structural interventions, to ensure inclusive access to programs and appropriate protections for all people at risk of contracting HIV, especially in communities disproportionately impacted;

(7) calls for greater focus on the HIV-related vulnerabilities of women and girls, including women and girls at risk for or who have survived violence or faced discrimination as a result of the disease;

(8) supports continued leadership by the United States in domestic, bilateral, multilateral, and private sector efforts to fight HIV;

(9) encourages input from civil society in the development and implementation of domestic and global HIV policies and programs that guide the response;

(10) encourages and supports greater degrees of ownership and shared responsibility by developing countries in order to ensure the sustainability of the domestic responses to HIV/AIDS by those countries; and

(11) urges other members of the international community to sustain and scale up their support for and financial contributions to efforts around the world to combat HIV.

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. MCCONNELL. Mr. President, I have 2 requests for committees to meet

during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, December 1, 2020, at 10 a.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, December 1, 2020, at 2:30 p.m., to conduct a closed briefing.

#### PRIVILEGES OF THE FLOOR

Mr. PAUL. Mr. President, I ask unanimous consent that the following interns in my office be granted floor privileges until December 18, 2020: Remy Gaines, Callum Case, Lucy Sonsalla, Karen Gupta, and Gabriella Mestre.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TOOMEY. Mr. President, I ask unanimous consent that Brett Doyle, a member of my staff and the Congressional Oversight Commission, be granted floor privileges for the remainder of the Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### STOP STUDENT DEBT RELIEF SCAMS ACT OF 2019

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of S. 1153 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1153) to explicitly make unauthorized access to Department of Education information technology systems and the misuse of identification devices issued by the Department of Education a criminal act.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1153) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 1153

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Stop Student Debt Relief Scams Act of 2019”.

#### SEC. 2. CRIMINAL PENALTIES.

(a) IN GENERAL.—Section 490 of the Higher Education Act of 1965 (20 U.S.C. 1097) is amended by adding at the end the following:

“(e) ACCESS TO DEPARTMENT OF EDUCATION INFORMATION TECHNOLOGY SYSTEMS FOR FRAUD, COMMERCIAL ADVANTAGE, OR PRIVATE FINANCIAL GAIN.—Any person who knowingly uses an access device, as defined in section 1029(e)(1) of title 18, United States Code, issued to another person or obtained by fraud or false statement to access Department information technology systems for purposes of obtaining commercial advantage or private financial gain, or in furtherance of any criminal or tortious act in violation of the Constitution or laws of the United States or of any State, shall be fined not more than \$20,000, imprisoned for not more than 5 years, or both.”.

(b) GUIDANCE.—The Secretary shall issue guidance regarding the use of access devices in a manner that complies with this Act, and the amendments made by this Act.

(c) EFFECTIVE DATE OF PENALTIES.—Notwithstanding section 6, the penalties described in section 490(e) of the Higher Education Act of 1965 (20 U.S.C. 1097), as added by subsection (a), shall take effect the day after the date on which the Secretary issues guidance regarding the use of access devices, as described in subsection (b).

#### SEC. 3. LOAN COUNSELING.

Section 485(b) of the Higher Education Act of 1965 (20 U.S.C. 1092(b)) is amended—

(1) in clause (viii), by striking “and” after the semicolon; and

(2) by adding at the end the following:

“(x) an explanation that—

“(I) the borrower may be contacted during the repayment period by third-party student debt relief companies;

“(II) the borrower should use caution when dealing with those companies; and

“(III) the services that those companies typically provide are already offered to borrowers free of charge through the Department or the borrower's servicer; and”.

#### SEC. 4. PREVENTION OF IMPROPER ACCESS.

Section 485B of the Higher Education Act of 1965 (20 U.S.C. 1092b) is amended—

(1) by redesignating subsections (e) through (h) as subsections (f) through (i), respectively;

(2) in subsection (d)—

(A) in paragraph (5)(C), by striking “and” after the semicolon;

(B) in paragraph (6)(C), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(7) preventing access to the data system and any other system used to administer a program under this title by any person or entity for the purpose of assisting a student in managing loan repayment or applying for any repayment plan, consolidation loan, or other benefit authorized by this title, unless such access meets the requirements described in subsection (e).”;

(3) by inserting after subsection (d) the following:

“(e) REQUIREMENTS FOR THIRD-PARTY DATA SYSTEM ACCESS.—

“(1) IN GENERAL.—As provided in paragraph (7) of subsection (d), an authorized person or entity described in paragraph (2) may access the data system and any other system used to administer a program under this title if that access—

“(A) is in compliance with terms of service, information security standards, and a code of conduct which shall be established by the Secretary and published in the Federal Register;

“(B) is obtained using an access device (as defined in section 1029(e)(1) of title 18, United States Code) issued by the Secretary to the authorized person or entity; and

“(C) is obtained without using any access device (as defined in section 1029(e)(1) of title 18, United States Code) issued by the Secretary to a student, borrower, or parent.

“(2) AUTHORIZED PERSON OR ENTITY.—An authorized person or entity described in this paragraph means—

“(A) a guaranty agency, eligible lender, or eligible institution, or a third-party organization acting on behalf of a guaranty agency, eligible lender, or eligible institution, that is in compliance with applicable Federal law (including regulations and guidance); or

“(B) a licensed attorney representing a student, borrower, or parent, or another individual who works for a Federal, State, local, or Tribal government or agency, or for a nonprofit organization, providing financial or student loan repayment counseling to a student, borrower, or parent, if—

“(i) that attorney or other individual has never engaged in unfair, deceptive, or abusive practices, as determined by the Secretary;

“(ii) that attorney or other individual does not work for an entity that has engaged in unfair, deceptive, or abusive practices (including an entity that is owned or operated by a person or entity that engaged in such practices), as determined by the Secretary;

“(iii) system access is provided only through a separate point of entry; and

“(iv) the attorney or other individual has consent from the relevant student, borrower, or parent to access the system.”; and

(4) in subsection (f)(1), as redesignated by paragraph (1)—

(A) in subparagraph (A), by striking “student and parent” and inserting “student, borrower, and parent”;

(B) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively;

(C) by inserting after subparagraph (B) the following:

“(C) the reduction in improper data system access as described in subsection (d)(7);”;

(D) by striking subparagraph (E), as redesignated by subparagraph (B), and inserting the following:

“(E) any protocols, codes of conduct, terms of service, or information security standards developed under paragraphs (6) or (7) of subsection (d) during the preceding fiscal year.”.

#### SEC. 5. AGENCY PREVENTION AND DETECTION.

Section 141(b)(2) of the Higher Education Act of 1965 (20 U.S.C. 1018(b)(2)) is amended by adding at the end the following:

“(C) Taking action to prevent and address the improper use of access devices, as described in section 485B(d)(7), including by—

“(i) detecting common patterns of improper use of any system that processes payments on Federal Direct Loans or other Department information technology systems;

“(ii) maintaining a reporting system for contractors involved in the processing of

payments on Federal Direct Loans in order to allow those contractors to alert the Secretary of potentially improper use of Department information technology systems;

“(iii) proactively contacting Federal student loan borrowers whose Federal student loan accounts demonstrate a likelihood of improper use in order to warn those borrowers of suspicious activity or potential fraud regarding their Federal student loan accounts; and

“(iv) providing clear and simple disclosures in communications with borrowers who are applying for or requesting assistance with Federal Direct Loan programs (including assistance or applications regarding income-driven repayment, forbearance, deferment, consolidation, rehabilitation, cancellation, and forgiveness) to ensure that borrowers are aware that the Department will never require borrowers to pay for such assistance or applications.”.

#### SEC. 6. EFFECTIVE DATE.

This Act, and the amendments made by this Act, shall take effect on the date that is 180 days after the date of enactment of this Act.

### NATIONAL LUNG CANCER AWARENESS MONTH

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 780, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 780) designating November 2020 as “National Lung Cancer Awareness Month” and expressing support for the early detection of lung cancer.

There being no objection, the committee was discharged, and the Senate proceeded to consider the resolution.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 780) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

### SAVE OUR SEAS 2.0 ACT

Mr. McCONNELL. Mr. President, I ask that the Chair lay before the Senate the message to accompany S. 1982.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

*Resolved*, That the bill from the Senate (S. 1982) entitled “An Act to improve efforts to combat marine debris, and for other purposes.”, do pass with an amendment.

#### MOTION TO CONCUR

Mr. McCONNELL. Mr. President, I move to concur in the House amendment and I ask unanimous consent that the motion be agreed to and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

### ORDERS FOR WEDNESDAY, DECEMBER 2, 2020

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Wednesday, December 2; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Hauptman nomination, under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

### ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:52 p.m., adjourned until Wednesday, December 2, 2020, at 10 a.m.

### CONFIRMATIONS

Executive nominations confirmed by the Senate December 1, 2020:

#### THE JUDICIARY

J. PHILIP CALABRESE, OF OHIO, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF OHIO.  
TAYLOR B. MCNEEL, OF MISSISSIPPI, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF MISSISSIPPI.

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S7117–S7142*

**Measures Introduced:** Thirteen bills and two resolutions were introduced, as follows: S. 4931–4943, and S. Res. 780–781. **Page S7139**

**Measures Passed:**

**Stop Student Debt Relief Scams Act:** Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. 1153, to explicitly make unauthorized access to Department of Education information technology systems and the misuse of identification devices issued by the Department of Education a criminal act, and the bill was then passed. **Pages S7141–42**

**National Lung Cancer Awareness Month:** Senate agreed to S. Res. 780, designating November 2020 as “National Lung Cancer Awareness Month” and expressing support for the early detection of lung cancer. **Page S7142**

**House Messages:**

**Save Our Seas 2.0 Act:** Senate concurred in the amendment of the House of Representatives to S. 1982, to improve efforts to combat marine debris. **Page S7142**

**ALS Disability Insurance Access ACT—Agreement:** A unanimous-consent agreement was reached providing that notwithstanding the provisions of Rule XXII, if necessary, and at a time to be determined by the Majority Leader, in consultation with the Democratic Leader, the Committee on Finance be discharged from further consideration of S. 578, to amend title II of the Social Security Act to eliminate the five-month waiting period for disability insurance benefits under such title for individuals with amyotrophic lateral sclerosis, that Senate proceed to its immediate consideration, and that the only amendment in order be an amendment to be offered by Senator Grassley; provided further that Senate vote on adoption of the Grassley amendment, and upon disposition of the amendment, the bill, as amended, if amended, be read a third time, and Senate vote on passage of the bill, as amended, if

amended; and that adoption of the Grassley amendment and passage of the bill require 60 affirmative votes. **Page S7123**

**Hauptman Nomination—Agreement:** Senate resumed consideration of the nomination of Kyle Hauptman, of Maine, to be a Member of the National Credit Union Administration Board.

**Pages S7123–31**

During consideration of this nomination today, Senate also took the following action:

By 56 yeas to 37 nays (Vote No. EX. 244), Senate agreed to the motion to close further debate on the nomination. **Pages S7123–24**

A unanimous-consent agreement was reached providing that notwithstanding the provisions of Rule XXII, the post-cloture time on the nomination of Kyle Hauptman expire at 11:45 a.m., on Wednesday, December 2, 2020, and Senate vote on confirmation of the nomination; that if cloture is invoked on the nomination of Kathryn C. Davis, of Maryland, to be a Judge of the United States Court of Federal Claims, Senate then vote on the motion to invoke cloture on the nomination of Christopher Waller, of Minnesota, to be a Member of the Board of Governors of the Federal Reserve System; provided further that the post-cloture time with respect to the nomination of Kathryn C. Davis expire at 2:05 p.m., on Wednesday, December 2, 2020, and Senate vote on confirmation of the nomination; and that the confirmation vote with respect to the nomination of Christopher Waller occur at a time to be determined by the Majority Leader, in consultation with the Democratic Leader, on Thursday, December 3, 2020.

**Page S7128**

A unanimous-consent agreement was reached providing for further consideration of the nomination of Kyle Hauptman, post-cloture, at approximately 10:00 a.m., on Wednesday, December 2, 2020.

**Page S7142**

**Nominations Confirmed:** Senate confirmed the following nominations:

By 53 yeas to 39 nays (Vote No. EX. 241), Taylor B. McNeel, of Mississippi, to be United States District Judge for the Southern District of Mississippi.

**Pages S7118–7122**

By 58 yeas to 35 nays (Vote No. EX. 243), J. Philip Calabrese, of Ohio, to be United States District Judge for the Northern District of Ohio.

Pages S7122–23

During consideration of this nomination today, Senate also took the following action:

By 58 yeas to 35 nays (Vote No. EX. 242), Senate agreed to the motion to close further debate on the nomination.

Pages S7122–23

Executive Communications:

Pages S7137–39

Additional Cosponsors:

Pages S7139–40

Statements on Introduced Bills/Resolutions:

Pages S7140–41

Additional Statements:

Authorities for Committees to Meet: Page S7141

Privileges of the Floor: Page S7141

Record Votes: Four record votes were taken today. (Total—244)

Pages S7122–24

Adjournment: Senate convened at 10 a.m. and adjourned at 6:52 p.m., until 10 a.m. on Wednesday,

December 2, 2020. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S7142.)

## Committee Meetings

(Committees not listed did not meet)

### CARES ACT

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded a hearing to examine the quarterly CARES ACT report to Congress, after receiving testimony from Steven T. Mnuchin, Secretary of the Treasury; and Jerome H. Powell, Chair, Board of Governors of the Federal Reserve System.

### INTELLIGENCE

*Select Committee on Intelligence:* Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

# House of Representatives

## Chamber Action

The House was not in session today. The House is scheduled to meet at 2 p.m. on Wednesday December 2, 2020.

## Committee Meetings

No hearings were held.

## Joint Meetings

No joint committee meetings were held.

### COMMITTEE MEETINGS FOR WEDNESDAY, DECEMBER 2, 2020

(Committee meetings are open unless otherwise indicated)

#### Senate

*Committee on Agriculture, Nutrition, and Forestry:* to hold hearings to examine agricultural research and securing the United States food supply, 2:30 p.m., SD–G50.

*Committee on Armed Services:* Subcommittee on Readiness and Management Support, to hold hearings to examine Navy and Marine Corps readiness, 9:15 a.m., SD–G50.

*Committee on Commerce, Science, and Transportation:* business meeting to consider the nominations of Gregory

Autry, of California, to be Chief Financial Officer, National Aeronautics and Space Administration, Daniel Huff, of Massachusetts, to be an Assistant Secretary of Commerce, and Nathan A. Simington, of Virginia, to be a Member of the Federal Communications Commission, 10 a.m., SR–325.

*Committee on Environment and Public Works:* business meeting to consider S. 4897, to reestablish United States global leadership in nuclear energy, revitalize domestic nuclear energy supply chain infrastructure, support the licensing of advanced nuclear technologies, and improve the regulation of nuclear energy, and General Services Administration resolutions, 9:45 a.m., SD–106.

*Committee on Foreign Relations:* to hold hearings to examine the nominations of C. Kevin Blackstone, of Virginia, to be Ambassador to the Democratic Republic of Timor-Leste, Cynthia Kierscht, of Minnesota, to be Ambassador to the Islamic Republic of Mauritania, Brian D. McFeeters, of Virginia, to be Ambassador to Malaysia, Geeta Pasi, of New York, to be Ambassador to the Federal Democratic Republic of Ethiopia, and David Reimer, of Ohio, to be Ambassador to the Republic of Sierra Leone, all of the Department of State, 11 a.m., VTC.

*Committee on Homeland Security and Governmental Affairs:* Subcommittee on Federal Spending Oversight and Emergency Management, to hold hearings to examine state and local cybersecurity, focusing on defending our communities from cyber threats amid COVID–19, 2:30 p.m., SD–342.

*Select Committee on Intelligence*: to receive a closed briefing on certain intelligence matters, 2 p.m., SVC–217.

### House

*Committee on Financial Services*, Full Committee, hearing entitled “Oversight of the Treasury Department’s and Federal Reserve’s Pandemic Response”, 10 a.m., 2128 Rayburn and Webex.

*Committee on Foreign Affairs*, Subcommittee on the Middle East, North Africa, and International Terrorism, hearing entitled “Advancing the Rights of Women and Girls in the Middle East: An Analysis of Current Trends and U.S. Policy”, 2 p.m., Webex.

*Committee on the Judiciary*, Subcommittee on Crime, Terrorism, and Homeland Security, hearing entitled “Oversight of the Federal Bureau of Prisons and the U.S. Marshals Service”, 9 a.m., 2141 Rayburn and Webex.

*Committee on Rules*, Full Committee, hearing on H.R. 3884, the “Marijuana Opportunity Reinvestment and Expungement Act of 2019” [MORE Act of 2020], 1 p.m., Webex.

*Committee on Veterans’ Affairs*, Full Committee, business meeting on the Committee Report on Hijacking our Heroes, 10 a.m., HVC–210 and Webex.

Full Committee, hearing entitled “A Time for Change: Assessing the Need to Modernize Veteran Eligibility for Care”, 10:05 a.m., HVC–210 and Webex.

*Next Meeting of the SENATE*

10 a.m., Wednesday, December 2

*Next Meeting of the HOUSE OF REPRESENTATIVES*

2 p.m., Wednesday, December 2

## Senate Chamber

**Program for Wednesday:** Senate will continue consideration of the nomination of Kyle Hauptman, of Maine, to be a Member of the National Credit Union Administration Board, post-cloture, and vote on confirmation thereon at 11:45 a.m.

Following disposition of the nomination of Kyle Hauptman, Senate will vote on the motion to invoke cloture on the nomination of Kathryn C. Davis, of Maryland, to be a Judge of the United States Court of Federal Claims, and on the motion to invoke cloture on the nomination of Christopher Waller, of Minnesota, to be a Member of the Board of Governors of the Federal Reserve System.

If cloture is invoked on the nomination of Kathryn C. Davis, Senate will vote on confirmation thereon at 2:05 p.m.

## House Chamber

**Program for Wednesday:** To be announced.



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